

MINERAL CLAIMS, NAVAHO INDIAN RESERVATION,
ARIZONA AND NEW MEXICO.

L E T T E R

FROM

THE SECRETARY OF THE INTERIOR,

TRANSMITTING,

IN RESPONSE TO RESOLUTION OF THE SENATE OF FEBRUARY 7, 1901, A COPY OF A COMMUNICATION FROM THE COMMISSIONER OF INDIAN AFFAIRS, TOGETHER WITH ALL PAPERS RELATING TO THE LOCATION, RIGHT OF LOCATION, CLAIM, LEASE, ACQUISITION, OR THE PRIVILEGE OF EXPLORING FOR MINERALS ON ANY PART OF THE NAVAHO INDIAN RESERVATION IN ARIZONA AND NEW MEXICO.

MARCH 1, 1901.—Referred to the Committee on Indian Affairs and ordered to be printed.

DEPARTMENT OF THE INTERIOR,
Washington, February 28, 1901.

SIR: I have the honor to acknowledge the receipt of the following resolution of the Senate:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to send to the Senate copies of all papers, including letters and telegrams, delivered to him or the Commissioner of Indian Affairs, or filed in his Department subsequent to March 21, 1898, in any manner relating to the location, right of location, claim, lease, acquisition of title to mining ground, or the privilege of exploring for minerals on any part of the Navaho Indian Reservation in Arizona and New Mexico.

In response thereto I have the honor to transmit herewith a copy of a communication of the 26th instant from the Commissioner of Indian Affairs, together with copies of all papers relating to the subject, on file or of record in his office and the Department subsequent to March 21, 1898.

Very respectfully,

E. A. HITCHCOCK, *Secretary*.

The PRESIDENT OF THE UNITED STATES SENATE.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 26, 1901.

SIR: I have the honor to acknowledge the receipt, by Department reference, of Senate resolution dated February 7, 1901, as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to send to the Senate copies of all papers, including letters and telegrams, delivered to him or the Commissioner of Indian Affairs, or filed in his department subsequent to March 21, 1898, in any manner relating to the location, right of location, claim, lease, acquisition of title to mining ground, or the privilege of exploring for minerals on any part of the Navajo Indian Reservation in Arizona and New Mexico.

In compliance with said resolution I transmit, herewith, copies of all papers, including letters and telegrams, relating to the subjects mentioned therein, on file or of record in this office subsequent to March 21, 1898.

The papers temporarily referred to this office with Department letter of February 15, 1901, are herewith returned to the files of the Department. The resolution is also returned herewith, together with a copy of this report.

Very respectfully, your obedient servant,

W. A. JONES, *Commissioner.*

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, October 7, 1898.

SIR: Referring to the lease for mining purposes in the Carrizo Mountains, Navajo reservation, between Capt. Constant Williams, U. S. A., acting United States Indian agent, Navajo Agency, N. Mex., and Mr. J. H. P. Voorhies, which was approved by the Department February 10, 1896, I have to request to be advised whether your office has ever received a report from Agent Williams on the prospecting and mining under this lease, and if no such report has been made, I desire that you call for one at the earliest practicable date.

Very respectfully,

THOS. RYAN,
First Assistant Secretary.

The COMMISSIONER OF INDIAN AFFAIRS.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, October 11, 1898.

SIR: Replying to Department letter of the 7th instant, you are advised that Maj. Constant Williams, acting agent of the Navajo Agency, N. Mex., has never made any report to this office respecting the prospecting and mining operations under the lease in favor of J. H. P. Voorhies, approved by the Department on February 10, 1896. In compliance with your directions, I have this day called upon Major Williams for a report concerning the same. As soon as the report is received a copy of the same will be forwarded to you.

Very respectfully, your obedient servant,

A. C. TONNER,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, October 11, 1898.

SIR: You are advised that this office is directed by the First Assistant Secretary of the Interior to call upon you for a report respecting the prospecting and mining operations that have been conducted under the lease in favor of J. H. P. Voorhies,

which was approved by the Department on February 10, 1896. One part of the lease was sent you with office letter of February 12, 1896. In that letter you were directed to report to this office as soon as the mile square covered by the lease had been located and the corners marked. Up to date no report has been received by this office concerning the matter. The lease was assigned by Mr. Voorhies to the Carrizo Mining Company, notice of which was given you in office letter of April 10, 1896.

In accordance with the request of the Department you are directed, at the earliest practicable date, to make a full and explicit report to this office concerning the prospecting and mining operations under said lease—whether or not the mile square was definitely located and the corners marked by suitable stones, as required by the lease; the extent of the prospecting that has been done; whether or not any paying mineral has ever been discovered and removed; what, if any, royalties have ever been paid to the Indians, and such other facts as will give this office a clear understanding of the matter. And as has been said, this report should be made as early as practicable.

Very respectfully,

A. C. TONNER,
Acting Commissioner.

Maj. CONSTANT WILLIAMS, U. S. A.,
Acting Indian Agent, Navajo Agency, Fort Defiance, Ariz.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE,
Navajo Agency, Fort Defiance, Ariz., October 14, 1898.

SIR: In reply to your letter of the 11th instant, directing me to report upon the prospecting and mining operations that have been conducted under the lease approved February 10, 1896, in favor of J. H. P. Voorhies and assigned by him to the Carrizo Mining Company, I respectfully report that a representative of the lessee came to the Carrizo Mountains in 1896 and prospected there for several weeks; he then went to Colorado with a number of samples of rock for assay, writing to me that he thought he had discovered the lode he was after, and that if this supposition was correct he would return as soon as he got through with some business which had called him to Colorado and point out the mile square to be located by the terms of the lease.

I presume that he was mistaken in the character of the rock, for I have had no communication from him or anyone else upon the subject since that time, and I have no doubt that the undertaking has been abandoned. At any rate, under the terms of the lease the particular tract covered was to be designated as soon as the snow left the ground in the spring of 1896, and as this was not done at the time specified, and no application for a continuance of the time within it might be done has been made, I have assumed that the lease is no longer in effect. No mining operations whatever were conducted and no ore except the samples mentioned above was ever taken out.

Very respectfully,

CONSTANT WILLIAMS,
Major, Seventeenth Infantry, Acting Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, October 25, 1898.

SIR: Referring to office letter of the 11th instant, relative to calling upon Maj. Constant Williams, acting agent of the Navajo Agency, N. Mex., relative to the prospecting and mining operations that have been conducted under the lease in favor of J. H. P. Voorhies, and by him assigned to the Carrizo Mining Company, you are advised that the office is now in receipt of a report from Major Williams concerning the matter, dated the 14th instant.

A copy of said report is inclosed herewith for your information.

Very respectfully, your obedient servant,

A. C. TONNER,
Acting Commissioner.

The SECRETARY OF THE INTERIOR.

GALLUP, N. MEX., March 14, 1900.

SIR: Major Hayzlett requested me to examine a lease which will be submitted to you in a few days. I carefully examined this lease and consider it all right. While I am aware the policy of the Administration is not to allow prospecting on these reservations, I am satisfied that this is clearly a case in which an exception should be made. This is merely a mountain waste of no earthly value to the Indians, and if this party is successful and can find a product it will assure steady labor with good pay for quite a number of Indians, which is the only way these Indians can make a living. If you could see this barren waste you would be desirous of having every prospector on earth do his utmost to discover any value whatever on or beneath this soil. I most earnestly recommend the favorable consideration of this proposition.

It may seem to you that a lease of land 10 miles square is too large, but in this case it is hardly large enough, as just where the body of oil lies is a mere conjecture and a number of wells at different points on this tract of land will have to be drilled to find it.

Very respectfully, yours,

A. C. HAWLEY,
Special Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

NAVAJO AGENCY,
Fort Defiance, Ariz., March 22, 1900.

SIR: I have the honor to forward a lease to a tract of land which is located on the south line of the reservation nearly north of Fort Wingate, which the parties desire to use for the purpose of prospecting and pumping oil, if they are successful in obtaining the same. The lease is made in triplicate and bond in duplicate. I held a council to explain the matter to the Indians, at which council there appeared about 40, and all were very anxious to have anything developed in their part of the country, not a dissenting voice, and the signatures of the head men are attached hereto. I think the lease is so drawn that it will fully protect the interest of the Indians, and while the party desires to have the royalty fixed at about 3 per cent of the net earnings, I recommend that they be required to pay a royalty of 5 per cent. It seems to me that would be on the line of equity. If in the opinion of the office the lease is drawn to fully protect the Indians, I would recommend the approval of the same.

Very respectfully,

G. W. HAYZLETT,
United States Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

This indenture, in triplicate, made and entered into this 13th day of March, A. D. 1900, by and between George W. Hayzlett, United States agent for the Navajo Agency, N. Mex., party of the first part, for and on behalf of the Navajo tribe of Indians, occupying and residing upon the Navajo Reservation, under and pursuant to the action of the council of said tribe sitting for the tribe, authorizing the leasing of the portion of said reservation herein described for the purpose of producing petroleum, asphalt, and similar products, for the period of ten years from the date hereof, duly empowering the said George W. Hayzlett to make and execute a lease of the same, for and on behalf of said tribe, as per resolution hereto attached and made a part of this agreement, and in accordance with the provisions of section 3 of the act of Congress approved February 28, 1891 (26 Stats., 794), and Gus Mulholland, party of the second part, witnesseth:

That said party of the first part, for and in consideration of \$1 to him in hand paid, the receipt whereof is hereby acknowledged, and of the payments of royalty to be made by the party of the second part as hereinafter agreed and stipulated, and of the execution of a legal bond with two or more good and sufficient sureties in the amount of \$5,000, conditioned for the faithful performance of the terms of this lease, and by authority of the act of said council and the act of Congress mentioned, and subject to the approval of the Secretary of the Interior, doth, by these presents, let and lease unto the said party of the second part the following-described portions of said reservation, said portion not being needed for agricultural purposes, viz:

All that portion of the Navajo Indian Reservation situate, lying, and being in the county of Bernalillo and Territory of New Mexico, described as follows: Commencing

at a point on the south boundary line of the Navajo Indian Reservation, where the east line of section number thirty-five (35), township number seventeen (17) north, range sixteen (16) west, N. M. P. M., intersects said south boundary line; thence east two (2) miles along said south boundary line of the Navajo Indian Reservation; thence north ten (10) miles; thence west ten (10) miles; thence south ten (10) miles; thence east eight (8) miles along the south boundary line of said reservation to place of beginning, which tract is to be properly marked out by small stone monuments, under the direction of the agent for the Navajo Indians, for the full term of ten years from the date hereof, for the purpose of prospecting for, drilling wells to produce, pumping, and refining petroleum, asphalt, and similar products, with the right to use so much of the surface of the lands and so much of the timber and building stone found thereon as may be fairly necessary, in order to successfully and conveniently conduct said prospecting, drilling, pumping, and refining operations; also the right or rights of way over and across said reservation, for wagon roads, bridle paths, and tramways, for the purpose of ingress and egress to and from said wells, as well as the right to use any wagon road or bridle path upon said reservation, and to construct and maintain such roads as may be necessary to the successful operation of the drilling, pumping, and refining of such products; also the right to appropriate and use, during the existence of this lease, such waters upon said reservation, not previously appropriated, as may be necessary to the successful and convenient conduct of such prospecting, drilling, and refining operations, with all necessary rights of way upon and over said reservation, for the purpose of conducting such water to the place or places upon the premises hereby leased where such waters are to be used as aforesaid; but said Indians reserve to themselves, to the United States Indian agent, to all special agents and inspectors of the Interior Department, and to such other agents and employes as they may designate, the right to go upon and visit said land and wells for the purpose of examining the condition of the same, and to ascertain the amount of petroleum, asphalt, and other similar products removed therefrom, at such reasonable times as they may designate.

In consideration of which, the said party of the second part hereby agrees and binds himself, his executors, administrators, assigns, and sublessees to pay or cause to be paid to the United States Indian agent for said Indians, to be placed to their credit and to be paid for them or expended for their benefit as the Commissioner of Indian Affairs or the Secretary of the Interior may direct, in lawful money of the United States, a sum or sums of money, at the place where said prospecting, drilling, and refining operations are carried on as aforesaid, as royalties upon all petroleum, asphalt, and similar products removed from said lands in the following amounts, to wit:

Such percentage upon the net petroleum, asphalt, and other products resulting from their prospecting, drilling, pumping, and refining operations upon said premises as may be mutually agreed upon in writing between the Secretary of the Interior and the said party of the second part, to be ascertained and estimated in such manner as may be mutually agreed upon in writing between the said Secretary of the Interior and the said party of the second part.

All petroleum, asphalt, and similar products pumped or removed from said lands shall be either shipped and sold with all reasonable and convenient dispatch, in its crude state, or be refined on the premises, and the refined product shipped and sold with all reasonable and convenient dispatch, within the discretion of the party of the second part: *Provided*, That in case the market value of such products is so small at any period or periods of time during the term of this lease that the same can not be produced at a profit, then and in that case the party of the second part may produce and store such products until such time as he shall deem it advisable to sell, or may close down said works and operations until such time as the market value of said products is such that the said operations may be conducted at a profit; said royalties to be paid to said party of the first part monthly, the royalties for the net sales of each calendar month to be paid on or before the 25th day of the following month.

And it is also agreed by the said party of the second part that if, in prospecting, drilling, pumping, removing, or refining petroleum, asphalt, or other similar products, any other valuable substances are incidentally produced the said lessee shall pay the same royalty thereon in cash at the same time and in the same manner that the royalties above provided for are paid.

Provided, however, That the said party of the second part shall only be required to market such petroleum, asphalt, and other products with reasonable dispatch after the same are produced or refined, and shall not be held responsible for such delays in marketing the products of said wells as are consequent upon the conditions of the weather, seasons of the year, distance, obstruction of roads, or other conditions or

circumstances over which the said party of the second part has no control; but when such conditions or circumstances shall supervene to prevent the prompt shipment and marketing of such products, the royalties above provided for shall be due and payable on or before the 25th day of the month following the one in which said sales are made.

And the said party of the second part further covenants and agrees to exercise reasonable diligence in conducting such prospecting and drilling, and to drill and operate wells for petroleum, asphalt, and similar products above indicated in a good and workmanlike manner for the protection of said wells; to commit no waste upon said lands, or upon the wells that may be thereon, and to suffer no waste to be committed thereon; to take good care of the same and to surrender and return the premises, at the expiration of this lease, to said Indian tribe in as good condition as when received, ordinary wear and tear in the proper use of the same for the purposes above indicated and inevitable accident excepted; that he will not permit any nuisance to be maintained on the premises, nor allow any intoxicating liquors to be sold or given away, to be used as a beverage on the premises, or on said reservation, and that he will not use or allow the premises to be used for any other purposes than those authorized in this lease, and that he will not, at any time during the term herein granted, assign, lease, convey, or transfer any of his right, title, interest, or term in said premises and land, or the appurtenances thereto belonging, or any part thereof, to any person or persons whatsoever without the consent thereto of the Secretary of the Interior, expressed in writing.

And the said party of the second part further covenants and agrees that he will cause to be kept an accurate account of said operations, showing the whole amount of petroleum, asphalt, and other products pumped or removed from said lands, and that the said party of the first part, the special agents and inspectors of the Interior Department, said tribe or tribes of Indians, or their duly authorized agents and employees, shall have the right to make such reasonable examination of the books of account as may be necessary to obtain all information desired as to the amount of petroleum, asphalt, and other products pumped or removed from said lands under this lease, and that there shall be a lien on all implements, tools, movable machinery, and other chattels used in conducting said prospecting, drilling, pumping, and refining operations, and upon all such petroleum, asphalt, and substances obtained from said lands herein leased, as security for the monthly payment of said royalties and rents.

And it is further agreed between the said parties hereto that the privilege of conducting said prospecting, drilling, pumping, and refining upon the lands herein described, for the period of time herein specified, is permitted and agreed to, upon the express condition that if the Indian title to any portion of the lands herein described shall be extinguished before the expiration of the time herein stated, in that event this lease shall be of no force or effect from the date of such extinguishment of title, and all property of the said party of the second part upon said lands shall be subject to immediate removal therefrom.

And it is further provided and agreed between the parties hereto that no member of or delegate to Congress, or other employee of the United States, shall be admitted to any share or part in this lease, or shall derive any benefit arising therefrom; and also that this indenture shall be subject to the approval of the Secretary of the Interior.

And the said party of the second part, for himself, his executors, administrators, assigns, and sublessees, agrees that in employing laborers for all classes of work connected with the conducting of said drilling, pumping, and refining operations, preference shall be given to the Navajo Indians, so far as they may be fairly and equally qualified to perform such work.

And the said party of the second part, for himself and his executors, administrators, and assigns, covenants and agrees that this indenture is made with the express proviso that if any of said rents and royalties shall remain unpaid for a period of thirty days after the same shall have become due and payable as aforesaid, or if the said party of the second part shall, in violation of this indenture, and without the consent of said Secretary of the Interior, assign this lease, or underlet or otherwise dispose of the whole or any part of said leased premises, or use the same for any purposes save those hereinbefore authorized and agreed upon, or shall commit waste or suffer it to be committed on said premises, or shall permit or suffer any nuisance to be committed on said premises or reservation, or misuse or fail to take proper care of said premises, or shall pay or surrender said rents or royalties to any person other than the United States agent of said tribe of Indians as above set forth, or shall fail to exercise due diligence in prosecuting said prospecting, drilling, and pumping operations to the fullest practicable extent on said lands, and in a good and workmanlike manner, or shall fail to keep and perform all the agreements and covenants contained herein, then or in either of such contingencies this lease shall thereupon expire, at

the option or election of the Secretary of the Interior, and the said party of the first part may reenter upon said premises and possess and recover the same to the use of said tribe of Indians, to all intents and purposes as though said party of the second part had never occupied the same; and without such reentry and without demand for rent, said party of the first part may recover possession thereof, in the manner provided by law to proceedings in such cases.

In witness whereof, the said parties of the first and second parts, respectively, have hereunto set their hands and seals this 13th day of March, 1900.

GEORGE W. HAYZLETT, [SEAL.]

United States Indian Agent.

GUS MULHOLLAND. [SEAL.]

Witnesses as to both signatures:

L. L. HENRY.

T. A. WARING.

G. L. BOLTON.

I, Louis Watchman, do hereby certify, on honor, that I am the official interpreter of the Navajo tribe of Indians; that I fully explained the foregoing lease to the council of said Navajo tribe, and that said council fully understood the contents and meaning thereof and authorized the execution of the same, and that I witnessed the signing thereof, this 13th day of March, 1900.

LOUIS WATCHMAN,

Interpreter for the Navajo Indians.

We, the undersigned Navaho Indians, sitting for the Navaho tribe, and who have been elected and empowered by the Navaho tribe of Indians to act as counsel for and to transact all business for the tribe in relation to the leasing of the unallotted or tribal lands, do hereby authorize and empower United States Indian Agent George W. Hayzlett to enter into an agreement for the leasing of the tribal lands on the Navaho Reservation and to execute leases for the drilling of wells to produce petroleum, asphalt, and similar products, for said tribe, under the provisions of the act of Congress approved February 28, 1891 (26 Stats., 794).

Signed this 13th day of March, 1900.

EWDLT-NE (his x mark) HE (LITTLE CAPTAIN). [SEAL.]

ET SETTE (his x mark) YAYA-BE-GA, [SEAL.]

Judge of Supreme Court.

BE (his x mark) SENTE. [SEAL.]

CHI (his x mark) DAL-CON. [SEAL.]

BE (his x mark) SENTE. [SEAL.]

CHAU (his x mark) KLA-LE-BA-GA. [SEAL.]

SHASTEEN (his x mark) BA-GO-TA-BE-GA. [SEAL.]

THOMAS TARLINE. [SEAL.]

GA (his x mark) JESUS's BAY. [SEAL.]

BA-DEL (his x mark) CHEE. [SEAL.]

Do (his x mark) HAL-CAH. [SEAL.]

BE (his x mark) LUIK-SLHESLA. [SEAL.]

Witnesses:

L. L. HENRY.

T. A. WARING.

G. L. BOLTON.

I, Louis Watchman, hereby certify that I am the official interpreter of the council of the Navaho tribe of Indians; that the above signatures are those of said council; that they are empowered by the Navaho tribe of Indians to transact business for the tribe in relation to the leasing of tribal lands; that I interpreted and fully explained the foregoing to said council, and that they fully understood the contents and meaning thereof, and that I witnessed the signing thereof this 13th day of March, 1900.

LOUIS WATCHMAN,

Interpreter for Navaho Indians.

I, George W. Hayzlett, United States Indian agent of the Navaho Agency, N. Mex. hereby certify that I was present at the council meeting of said tribe, called for the purpose of authorizing the leasing of a certain portion of their tribal lands for drilling wells to produce petroleum, asphalt, and similar products, held at Gallup, Bernalillo County, N. Mex., on the 13th day of March, 1900, and that the foregoing is a true and correct copy of the proceedings of said council.

GEORGE W. HAYZLETT,

United States Indian Agent.

BOND.

Know all men by these presents, that we, Gus Mulholland, of Gallup, county of Bernalillo and State of New Mexico, and Gregory Page, of Gallup, county of Bernalillo and State of New Mexico, and Thomas N. Hirsch, of Gallup, county of Bernalillo and State of New Mexico, are held and firmly bound unto the United States of America in the sum of five thousand dollars (\$5,000.00), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors, administrators, and assigns, for and in the whole, jointly and severally, firmly by these presents.

Sealed with our seals, attested by our signatures, at Gallup, New Mexico, this 15th day of March, in the year of our Lord one thousand nine hundred (1900).

The nature of this obligation is such that if the said Gus Mulholland, his heirs, executors, administrators, and assigns, or any of them, shall and do in all things well and truly observe, perform, fulfill, accomplish, and keep all and singular the covenants, conditions, and agreements whatsoever, which on the part of the said Gus Mulholland, his heirs, executors, administrators, and assigns, are or ought to be observed, performed, fulfilled, accomplished, and kept, comprised or mentioned in certain articles of agreement bearing date the 13th day of March, 1900, between the said George W. Hayzlett, United States Indian agent for the Navaho Indians, and the said Gus Mulholland concerning the leasing of lands for the production of petroleum, asphalt, and similar products from the Navaho tribe of Indians, according to the true intent and meaning of said articles of agreement, then the above obligation to be void; otherwise, to remain in full force and virtue.

GUS MULHOLLAND.	[SEAL.]
GREGORY PAGE.	[SEAL.]
T. N. HIRSCH.	[SEAL.]

Signed, sealed, and delivered in presence of—

W. A. SMITH,
JOHN S. BOWIE,
As to Signatures.

TERRITORY OF NEW MEXICO, *County of Bernalillo, ss:*

On this 15th day of March, A. D. 1900, before me, the undersigned, a notary public in and for the county and Territory aforesaid, personally appeared Gregory Page and T. N. Hirsch, and who, being by me severally sworn, according to law, each upon his oath says that he owns and possesses property not exempt by law from execution, over and above all his debts and liabilities, and free from all incumbrances, of the value of the sum set opposite his name in connection herewith, viz:

Gregory Page	\$5,000
T. N. Hirsch	5,000

Subscribed and sworn to before me at Gallup, N. Mex., this 15th day of March, 1900.

[SEAL.]

L. L. HENRY, *Notary Public.*

TERRITORY OF NEW MEXICO, *County of Bernalillo, ss:*

I, James A. Summers, clerk of the probate court of said county, the same being a court of record, do hereby certify that L. L. Henry, whose name is subscribed to the proof or acknowledgment of the annexed instrument in writing, was at the time of taking such proof or acknowledgment a notary public in and for said county, duly commissioned, sworn and authorized to take the same; and further, that I am well acquainted with his handwriting and verily believe that the signature to the said proof or acknowledgment is genuine; and further, that the annexed instrument is executed and acknowledged according to the laws of the Territory of New Mexico.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Albuquerque, this 16th day of March, A. D. 1900.

[SEAL.]

JAMES A. SUMMERS, *Clerk.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, April 16, 1900.

SIR: This office is in receipt of a communication from G. W. Hayzlett, United States Indian agent, Navajo Agency, N. Mex., dated March 22, 1900, with which he forwards for approval a mining lease (in triplicate) for the purpose of pumping and refining petroleum, asphalt, and similar products, in favor of Gus Mulholland,

UTAH

109°

108°

37°

36°

NAVAJO INDIAN RESERVE

Treaty June 1st 1868 Vol. 15 P. 667

Extended
President's
Order Jan. 6. 1880

1st Stand. Par.

2nd Stand. Par.

Laguna Colorado
Laguna Negra

Flat Top Pk
Cox's Pk

Mesa Fachada

Mesa de la

Wingate
Military
Reserve

covering 10 miles square of land in the southeast corner of the Navajo Reservation, described as follows:

"Commencing at a point on the south boundary line of the Navajo Indian Reservation, where the east line of section number thirty-five (35), township number seventeen (17) north, range sixteen (16) west, N. M. P. M., intersects said south boundary line; thence east two (2) miles along said south boundary line of the Navajo Indian Reservation; thence north ten (10) miles; thence west ten (10) miles; thence south ten (10) miles; thence east eight (8) miles along the south boundary line of said reservation to place of beginning, which tract is to be properly marked out by small stone monuments under the direction of the agent of the Navajo Indians."

The term is ten years from the date thereof; rate of royalty, such a sum of money as may be mutually agreed upon in writing between the Secretary of the Interior and the said party of the second part, to be ascertained and estimated in such manner as may be mutually fixed upon.

Accompanying the lease is a bond (in duplicate) in the sum of \$5,000, with George Page and Thomas N. Hinch as sureties.

The lease and the bond appear to be properly executed and in proper form for approval, but one or two important questions arise in connection therewith. First, rather more than three-fourths of the land covered by the lease embraces lands comprising an Executive order addition to the original Navajo Reservation. The original Navajo Reservation was created by the treaty of June 1, 1868 (15 Stats., 667). By Executive order of January 6, 1880, a strip about 15 miles wide was added to the eastern side of the reservation, and a strip about 6 miles wide to the southern portion; and, as stated, rather more than three-fourths of the land covered by the lease lies within this Executive order addition. There is inclosed herewith a map of that portion of the Navajo Reservation lying within the Territory of New Mexico. The land covered by the lease is indicated thereon—the portion colored blue lies within the original reservation, and the portion colored green lies within the said Executive order addition thereto.

The assistant attorney-general of the Department on January 11, 1892, held, in effect, that Executive order reservations did not fall within the present law authorizing the leasing of tribal Indian lands. Now, as the lease covers both classes—lands acquired by the Indians by treaty and lands added to the treaty reservation by Executive order—should the lease be approved?

Second, the usual practice in such cases is for the would-be lessee to obtain authority from this Department to negotiate a lease with the Indians. This was done in this instance. The first knowledge the office had concerning the lease was contained in the letter of Agent Hayzett submitting the lease itself.

In its main features the lease seems to be unobjectionable, and it is transmitted herewith, for such action as the Department shall deem proper.

Very respectfully, your obedient servant,

A. C. TONNER,
Acting Commissioner

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, April 27, 1900.

SIR: I have the honor to acknowledge the reference April 26, 1900, of the honorable First Assistant Secretary of the Interior for immediate report, in duplicate, and return of papers and for the personal attention of the Commissioner, of letters and papers, through Hon. John C. Bell, relative to mining claims in the Navajo Indian Reservation, Ariz.

The portion of the reservation in question was included in the proclamation of President Arthur, May 17, 1884, subject to the following proviso:

"That any tract or tracts within the region of country described as aforesaid which are settled upon or occupied, or to which valid rights have attached under existing laws of the United States prior to the date of this order, are hereby excluded from this reservation."

One of the letters from Mr. A. Johnson, Flagstaff, Ariz., dated April 5, 1900, to Hon. John C. Bell, states—

"I inclose you certified abstract of one of my location certificates made in 1884, prior to the extension of the reservation over same, and also copy of President Arthur's order extending same, which shows that claims made prior to May 17, 1884, were excluded from said reservation. Now I would state that I have done work on said claims during the month of February and March, but now I am informed that I must obtain a permit if I desire to go into the reservation again, while Thomas Keene

is now working a number of Indians on his properties; he made locations about the same time I did in 1884."

House bill 4001, now before the President, provides—

"That all that portion of the Navajo Indian Reservation in Arizona lying north of 36° 30' north latitude, and west of the one hundred and eleventh meridian be, and the same is hereby, opened for mining purposes only and subjected to the mining laws of the United States."

The land above described includes the land covered by said mining claims.

The particular question raised by Mr. Johnson appears to be whether the claimants to mining claims located prior to said reservation can go upon said reservation without a permit to work their claims. It would seem that after the reservation was created the mineral claimants believed their rights to be concluded by such reservation and consequently they failed to maintain the annual assessment work required by law, but left the claims without any intention of abandoning the same.

I am of the opinion that the locations which were valid at the time said reservation was extended over these lands were excepted and carved out of such reservation as completely as if they had been mentioned in the proclamation. While the question as to annual assessment work is one for the courts—Barklage case (29 L. D., 401) it is well established that mineral locators who have resumed work prior to relocation of their claims by other persons gives them a valid right to such claims.

This office has no record of the claims referred to in the correspondence submitted, the land being entirely unsurveyed and the notices of locations being filed with the recorder of the mining district or with the county records.

I am of the opinion, however, that under the rulings of the courts, if the locators who had valid claims existing at the date of the proclamation above referred to resumed work upon such claims, either before or after the restoration of the surrounding land to the public domain, they acquired vested rights under the United States mining laws to the lands included in said claims.

The papers submitted, with a copy of this report, are herewith inclosed.

Very respectfully,

The SECRETARY OF THE INTERIOR.

BINGER HERMANN, *Commissioner*.

[Telegram.]

TUBA, ARIZ., April 30, 1900.
(Via Flagstaff, Ariz., May 1.)

COMMISSIONER INDIAN AFFAIRS, Washington, D. C.:

Twenty or more prospectors on the Navajo Reservation, 35 miles north of Tuba; they refuse to recognize authority; Indians express anxiety; have instructed chiefs to meet me at Tuba.

ELWIN E. ROGERS,
Additional Farmer.

NAVAHO AGENCY,
Fort Defiance, Ariz., May 2, 1900.

SIR: Information comes to me from Elwin E. Rogers, additional farmer, located at Tuba, Ariz., that a considerable number of prospectors are now on the ground at what is known as Kearn's district, which is in the northwesterly part of this reservation and lying west of the one hundred and eleventh meridian. Mr. Rogers has warned them to withdraw and leave the reservation, which they absolutely refuse to do, stating to him that they are there to stay. The parties referred to are 17 in number, whose names we have. There is also a Mr. A. Johnson, who has five men in his gang, and claims that he has a right to occupy that country, as having obtained that right prior to the Executive Order of May 17, 1884, claiming that he had valid rights prior to said order. I would respectfully ask for information and authority relative to the position those parties have taken. Mr. Rogers entertains fear of trouble arising among the Indians unless those parties are ejected or the question fully settled so that I may be able to explain the matter to the Indians. My lack of knowledge relative to the action of Congress in regard to opening the reservation relative to mining interests places me in such a position that I am at a loss to know what my duties are in such a case. I would respectfully ask for information and instructions. This is of such importance that an immediate answer is deemed necessary.

Very respectfully,

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

G. W. HAYZLETT,
United States Indian Agent.

DEPARTMENT OF THE INTERIOR,
Washington, May 10, 1900.

SIR: Information has reached the Department that trespassers or intruders are on that portion of the Navaho Reservation which was the subject of a message by the President vetoing H. R. 4001, a bill providing for the opening of a part of the said reservation for mining purposes.

You will communicate with the Indian agent in charge of the Navaho Agency, and direct him to take all necessary steps to give proper notice to such intruders to leave the limits of the reservation forthwith under penalty of ejection (not including those persons, however, who are rightfully there under the provisions of the Executive Order of 1884), and that if they fail to leave the reservation upon such notice, he shall then use such force as may be required to put them off the reservation.

If the force of police at his command be unable to carry out the orders of your office, the agent should also be instructed to so inform you, and to advise you whether military assistance will be needed for the purpose, and report thereof be made to the Department.

Very respectfully,

E. A. HITCHCOCK, *Secretary.*

THE COMMISSIONER OF INDIAN AFFAIRS.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 11, 1900.

SIR: I have the honor to state that the office has received the following telegram dated May 1, 1900, from Elwin E. Rogers, additional farmer, Tuba, Ariz.:

"Twenty or more prospectors on Navaho Reservation, 35 miles north of Tuba. They refuse to recognize authority. Indians express anxiety. Have instructed chiefs to meet me at Tuba."

Reference to a map of Arizona indicates that the prospectors referred to in said telegram are on that portion of the Navaho Reservation which lies north of 36° 30' north latitude and west of the one hundred and eleventh meridian, and which was sought to be opened to mineral entry by the bill (H. R. 4001) to adjust the rights of settlers on the Navaho Reservation.

Inasmuch as said bill was returned to the House of Representatives on May 3, 1900, by the President, without his approval, and as the parties referred to are in all probability on the reservation in violation of law, it is recommended that the office be authorized to issue instructions along the following lines to the United States Indian agent at the Navaho Agency:

"All persons within that portion of the Navaho Indian Reservation in Arizona, set apart by the Executive order of May 17, 1884, and within the following boundaries: On the north by the State of Utah, on the east by the 111° west longitude, on the south by 36° 30' north latitude, and on the west by 111° 30' west longitude and the Colorado River, who claim under a mineral location made prior to the date of said Executive order, and all persons within that portion of said reservation which was set apart by the Executive order of January 8, 1900, lying north of 36° 30' north latitude and west of 111° 30' west longitude who claim under mineral locations made prior to January 8, 1900, must be required to furnish proof thereof for transmission to this office. All such persons failing to furnish the required proof within thirty days from date or receipt by them of notification to do so will be removed as intruders, under section 2149 of the Revised Statutes."

It is within reason to presume that any person who shall furnish proof that he is operating on the reservation in pursuance of a prior mineral location would be permitted to employ as many persons to work his claim as he may need. Such employees would not, it is thought, be deemed intruders, provided they confined their operations to the claim or claims of their employer and reside thereon.

Since the receipt of the telegram above referred to, a letter dated May 2, 1900, has been received from the United States Indian agent at the Navaho Agency, New Mex., on the subject. Both communications are herewith inclosed.

Very respectfully, your obedient servant,

A. C. TONNER, *Acting Commissioner.*

THE SECRETARY OF THE INTERIOR.

FLAGSTAFF, ARIZ., May 11, 1900.

MY DEAR SIR: A telegram left this point for your office this morning requesting you to withhold your protest in regard to the opening of a certain portion of the Navaho Reservation, which was covered by Executive order May 17, 1884, President Chester Arthur.

I know you will do justice to us in this matter after you peruse this statement. The district was discovered in the fall of 1882 by Thomas Keam, who is now located on the edge of the Moqui Reserve, and others. I arrived on the ground February, 1884. Keam had a number of locations on which he was doing considerable work. There were five or six others who, as myself, made a number of locations and did the work on same prior to the Executive order covering or extending the Navaho Reserve over that section. Of the number who were operating in that section prior to the extension of the reservation over same only two of us are now alive as far as can be ascertained—that Thomas V. Keam, of the Tusayan trading post, Keam Canyon, and myself, A. Johnson.

Last January I and Thomas Keam went into the district to do some work on our claims, Keam working seven Navaho Indians. I came out to recruit my supplies, and an effort was made at that time to have that portion of the reserve opened for settlement. I sent into the conference committee abstract of one of my claims, showing that the locations were made and the work done prior to the extension of the reserve. My claims appear on record in the Butte Valley Mining, March 31, 1884, and in the county records of Yavapai County, March 16, 1884. Copy of one of my locations I inclose for your inspection. Now, I want to ask you for a permit so that I can go onto the reserve and do work on the claim referred to. I expended considerable money in that section, and took numerous chances, as the section was not as safe as at the present day.

Your office no doubt has been advised of the actions of a party of men, and tries to hold that whole mining district. The Pittsburg syndicate I refer to had 15 or 18 men in their employ, and they made locations covering the whole district. They had over 100 claims and they still had two Mormons in the field making more and holding them by prior to the opening of the reserve. Only think, had it not been for the just and timely veto of our Presidents and with your advice against the measure that syndicate of seven or eight men would have secured the whole of that valuable mining district. That they were holding the section by force there is no doubt. They positively refused to vacate the reservation when ordered by the subagent to do so. They even made threats—shot a number of shots near a cabin he was temporarily occupying. I never saw such scandalous operations. A detail of them riding would go out each morning and change dates on the locations. They refused to permit me to work any of my claims and threatened to drive off Keam's Indians if they attempted to do any work on any of the claims, and informed me that if I wanted my claims I would have to bring suit.

Now, there is an effort being made to pass this measure over the veto, which I hope will be unsuccessful, as we are satisfied that the actions of the syndicate referred to will not be indorsed by your office or the President, and if in some way it should pass, a date should be fixed for the opening.

Now, I would ask you to kindly issue me a permit, so I can go in and work my claims unmolested. I always get along with Indians, but I do not always feel safe with all white men I meet there, and please return abstract.

Oblige,

A. JOHNSON.

Hon. Mr. HITCHCOCK.

P. S.—One more suggestion or request. If by some unfortunate chance this bill should be forced through, could it not be so arranged so that the claims that appear of record in the Butte Valley mining district, and also on the records of Yavapai County, Ariz., such as were located and worked prior to the extension, will hold good and appear so in the bill, as that syndicate has every one of mine and Keam's covered with their illegal locations and will force us to a lawsuit, and I am unable to make a legal fight against such a syndicate, who has based their incorporations on the mines in the section referred to, to which they have not even a claim.

Knowing that you will do us justice in this matter, I remain,

Respectfully, yours,

A. JOHNSON, Prospector.

DEPARTMENT OF THE INTERIOR,
Washington, May 12, 1900.

SIR: I have considered your communication of the 16th ultimo, transmitting a mining lease (in triplicate) for the purpose of pumping and refining petroleum, asphalt, and similar products, in favor of Gus Mulholland, covering 10 miles square of land in the southeast corner of the Navaho Indian Reservation, New Mexico.

The map accompanying your letter shows the location of the 10-mile square tract proposed to be leased, and that only a small portion of said tract is within the original Navaho Reservation, created by the treaty of June 6, 1880, the remainder being within the strip added to said reservation by Executive order of January 6, 1880.

As this Department held in January, 1892, based on an opinion of the Attorney-General for this Department, that Executive order reservations did not fall within the law authorizing the leasing of tribal Indians' lands, I return without my approval the lease above referred to, together with accompanying papers.

Very respectfully,

E. A. HITCHCOCK,
Secretary.

The COMMISSIONER OF INDIAN AFFAIRS.

DEPARTMENT OF THE INTERIOR,
Washington, May 14, 1900.

SIR: I acknowledge the receipt of your letter of the 11th instant stating that you are advised that prospectors are on the Navaho Reservation and refuse to recognize authority.

This matter was the subject of my letter to you of the 10th instant, and in addition to the instructions therein given, you will, as recommended by you, direct the agent in charge of said reservation to give proper notice, as follows:

"All persons within that portion of the Navaho Indian Reservation in Arizona set apart by the Executive order of May 17, 1884, and within the following boundaries: On the north by the State of Utah, on the east by the 111° west longitude and on the south by 36° 30' north latitude, and on the west by 111° 30' west longitude and the Colorado River, who claim under a mineral location made prior to the date of said Executive order, and all persons within that portion of said reservation which was set apart by the Executive order of January 8, 1900, lying north of 36° 30' north latitude and west of 111° 30' west longitude, who claim under mineral locations made prior to January 8, 1900, must be required to furnish proof thereof for transmission to this office. All such persons failing to furnish the required proof within thirty days from date of receipt by them of notification to do so will be removed as intruders under section 2149 of the Revised Statutes."

The inclosures to your letter are herewith returned.

Very respectfully,

E. A. HITCHCOCK, *Secretary.*

The COMMISSIONER OF INDIAN AFFAIRS.

[Telegram.]

FLAGSTAFF, ARIZ., May 14, 1900.

HON. W. A. JONES,

Commissioner Indian Affairs, Washington, D. C.:

The reasons given in report Secretary Interior opposing signatures House bill 4001, vetoed by President, are based on misapprehension. Not more than 2,000 acres at most would be used for mining purposes. No Indian water privileges would be interfered with in least, as there is practically no water in district. On contracts mining people will develop water, which Indians may freely use. No range, pasturage, or farming interest of Indians in least affected. Indians residing in vicinity all anxious to have bill passed, as mining will afford profitable employment to large number of them and afford good market for their products. Absolutely no trouble or friction in that vicinity; all reports to contrary or that murders have been committed are false. The bill would be most beneficial to both whites and Indians, and its failure will be equally disastrous. In justice to both Indians and Americans, kindly urge passage of bill over veto. The character and standing of parties seeking passage of

bill excellent, and adverse reports from agency employees and others have been actuated by parties seeking exclusive rights based on favoritism and pretended rights dating prior to 1884. For proof we refer you to affidavits that Delegate Wilson will submit to you and Secretary Interior.

J. W. FRANCIS, *Assessor Coconino County.*

N. G. Layton, probate judge; George Hoxworth, county treasurer; E. E. Ellwood, mayor, Flagstaff; Dan Hogan, deputy sheriff; R. H. Jones, lawyer; J. E. Jones, lawyer; W. S. Robson, physician; E. M. Lockett, miner; Babbitt Bros., merchants; W. D. Powell, merchant; R. S. Marin & Bro., merchants; B. Hock, merchant; J. A. Vail, stockman; Campbell & Francis, wool growers; H. E. Campbell, stock raiser; A. E. Cowles, miner; Henry Cooper, miner; L. H. Tolfree, hotel keeper; J. Herman, merchant; George Babbitt, merchant; Thos. A. Rickle, clerk; C. P. McClure, miner; G. A. Keller, merchant; J. J. Davis, miner; James A. Johnson, sheriff Coconino County; T. E. Pullian, county recorder; James Loy, district attorney; T. J. Coulter, postmaster; L. W. Quinlan, town clerk; E. S. Clark, lawyer; George W. Glowner, lawyer; W. H. Thompson, general manager Pittsburg Mining Co.; David Babbitt; Arizona Central Bank, by E. T. Pollock, president; C. H. Edwards, cashier; Edward M. Doe, lawyer; Arizona Land and Stock Co.; Edward Gale, miner; R. H. Cameron, miner; J. M. Doheny, manager cash store; John W. Weatherford, hotel keeper; G. W. McAdams, post trader; Arthur F. Andrews, bookkeeper; J. D. Newman, wool grower; John Halford, miner; John Clark, farmer; J. W. Wright, miner.

HOUSE OF REPRESENTATIVES, *Washington, May 15, 1900.*

DEAR SIR: Some time ago I presented a letter from M. A. Johnson to Major Larrabee, of the Indian Office, with certified copy of location certificate, showing that he had located his claims before the Navaho Indian Reservation lines were extended on May 17, 1884, and also a letter from Mr. Hermann, showing that all locations made lying within the lines of the reservation, and asking for a permit to go on the Navaho Reservation, in the Keam mining district in Arizona, and work his claims that were located prior to May 17, 1884.

Major Larrabee informed me that no permit was necessary to go on the claims that were located prior to the extension of these lines.

I inclose a letter from Mr. Johnson which shows the agent will not permit those having claims antedating the Indian reservation to go on and work the same without a permit from the Indian Department. He has been at Flagstaff now for months trying to get in to work his claims, and I would be very much obliged if you would issue a permit for him to go on the claims he had at the time of the extension of these lines.

I inclose a copy of one of his location certificates, also the order of May 17, 1884, excluding these claims.

Mr. Johnson and party has, as I understand, four more claims in the same condition.

Those desiring to go in there who had no claims when these lines were extended, are making desperate efforts to keep those who had claims out of the Territory, as they seemed to think that such an injustice would aid in opening up all of this mining region for mining purposes.

Please return inclosed papers when through with them.

Yours, very truly,

JNO. C. BELL.

THE SECRETARY OF THE INTERIOR,
Washington, D. C.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 16, 1900.

SIR: I have the honor to acknowledge the receipt of Department letter dated May 10, 1900, instructing this office to direct the Indian agent in charge of the Navajo Agency, N. Mex., to take all necessary steps to give proper notice to intruders upon

that portion of the Navajo Reservation in Arizona, lying west of the one hundred and eleventh meridian and north of $36^{\circ} 30'$ north latitude, to leave the limits of the reservation, forthwith, under penalty of ejectment, etc.

In response, your attention is invited to office report of May 11, 1900, on the subject, in which a draft of definite instructions proposed to be given to said Indian agent were submitted for your approval.

Very respectfully, your obedient servant,

A. C. TONNER, *Acting Commissioner.*

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 17, 1900.

SIR: The office is in receipt of your letter of March 22, 1900, with which you forward for approval a mining lease (in triplicate) for the purpose of pumping and refining petroleum, asphalt, and other similar products, in favor of Gus Mulholland, covering 10 miles square of lands in the southeast corner of the Navajo Reservation, described as follows:

"Commencing at a point on the south boundary line of the Navajo Indian Reservation, where the east line of section numbered thirty-five (35), township number seventeen (17) north, range sixteen (16) west, N. M. P. M., intersects said boundary line; thence east two (2) miles along said south boundary line of the Navajo Indian Reservation; thence north ten (10) miles; thence west ten (10) miles; thence south ten (10) miles; thence east eight (8) miles along the south boundary line of said reservation to place of beginning, which tract is to be properly marked out by small stone monuments, under the direction of the agent for the Navajo Indians."

The term is ten years from the date thereof; the rate of royalty such a sum of money as may be mutually agreed upon in writing between the Secretary of the Interior and the said party of the second part, to be ascertained and estimated in such manner as may be mutually fixed upon.

In reply, you are advised that your said letter and the lease were submitted to the Secretary of the Interior on April 16, 1900, for such action as the Department should deem proper.

The office is now in receipt of a communication from the Secretary, dated May 12, 1900, returning said lease unapproved. The Secretary states:

"The map accompanying your letter shows the location of the 10-mile square proposed to be leased, and that only a small portion of said tract is within the original Navajo Reservation created by treaty of June 1, 1868, the remainder being within the strip added to said reservation by executive order of January 6, 1880.

As this Department held in January, 1892, based on an opinion of the Attorney-General for this Department, that executive order reservations did not fall within the law authorizing the leasing of tribal Indian lands, I return without my approval the lease above referred to, together with the accompanying papers."

As the Secretary declined to approve said lease, the lease and accompanying bond are held in this office for cancellation. You are directed to at once notify Mr. Mulholland of the action of the Department with reference to his said lease.

Very respectfully,

A. C. TONNER, *Acting Secretary.*

G. W. HAYZLETT, Esq.,

United States Indian Agent, Navajo Agency, Fort Defiance, Ariz.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, May 17, 1900.

SIR: Referring to your letter dated May 2, 1900, you are hereby directed, in accordance with instructions contained in Department letters dated May 10 and May 14, 1900, to take all necessary steps to give the following notice to all trespassers and intruders on that portion of the Navaho Reservation lying west of the one hundred and eleventh meridian and north of $36^{\circ} 30'$ north latitude:

"All persons within that portion of the Navaho Indian Reservation in Arizona, set apart by the Executive order of May 17, 1884, and within the following boundaries, on the north by the State of Utah, on the east by the 111° west longitude, on

the south by 36° 30' north latitude, and on the west by 111° 30' west longitude, and the Colorado River, who claim under a mineral location made prior to the date of said Executive order, and all persons within that portion of said reservation which was set apart by the Executive order of January 8, 1900, lying north of 36° 30' north latitude and west of 111° 30' west longitude, who claim under mineral locations made prior to January 8, 1900, must be required to furnish proof thereof for transmission to this office. All such persons failing to furnish the required proof within thirty days from date of receipt by them of notification to do so will be removed as intruders under section 2149 of the Revised Statutes."

In the event that such persons fail to furnish the required proof within the time specified you will eject them from the reservation, using such force as may be required to put them off.

If the police force at your command be unable to carry out these orders you will so inform this office, and will state whether military assistance will be needed for the purpose.

Very respectfully,

A. C. TONNER,
Acting Commissioner.

G. W. HAYZLETT, Esq.,
United States Indian Agent, Navajo Agency, N. Mex.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., May 18, 1900.

SIR: I have the honor to submit herewith a report upon letter dated May 15, 1900, with other papers, by your reference from Hon. John C. Bell, relative to mining claims in the Navaho Indian Reservation. The matter is submitted for my opinion as to the rights of the parties in the premises.

April 27, 1900, I submitted a report to you in this matter, in part as follows:

"The portion of the reservation in question was included in the proclamation of President Arthur May 17, 1884, subject to the following proviso:

"That any tract or tracts within the region of country described as aforesaid which are settled upon or occupied, or to which valid rights have attached under existing laws of the United States prior to the date of this order, are hereby excluded from this reservation."

"One of the letters from Mr. A. Johnson, Flagstaff, Ariz., dated April 5, 1900, to Hon. John C. Bell, states:

"I inclose you certified abstract of one of my location certificates made in 1884, prior to the extension of the reservation over same, and also copy of President Arthur's order extending same, which shows that claims made prior to May 17, 1884, were excluded from said reservation. Now, I would state that I have done work on said claims during the months of February and March, but now I am informed that I must obtain a permit if I desire to go into the reservation again, while Thomas Keene is now working a number of Indians on his properties. He made locations about the same time I did in 1884."

"House bill 4001, now before the President, provides—

"That all that portion of the Navajo Indian Reservation in Arizona lying north of 36° 30' north latitude and west of the one hundred and eleventh meridian be, and the same is hereby, opened for mining purposes only and subjected to the mining laws of the United States."

"The land above described includes the land covered by said mining claims.

"The above bill failed to become a law."

Mr. Bell recites the efforts heretofore made to secure permission for Mr. Johnson to go upon his claims, and after referring to the fact that he was advised by the Indian Office that no permit was required in case of claims located prior to the reservation, he states as follows:

"I inclose a letter from Mr. Johnson which shows the agent will not permit those having claims antedating the Indian reservation to go on and work same without a permit from the Indian Department.

"Accompanying the papers submitted is a telegram to Mr. Bell from J. J. Davis reading as follows:

"FLAGSTAFF, ARIZ., May 14, 1900.

"JOHN C. BELL,
"House of Representatives, Washington:

"Persons applying for permits to work claims on reservation; please oppose privilege; all alike; no vested rights prior 1884; fifteen years' abandonment abundant proof.

"J. J. DAVIS."

As stated in my letter of April 27, the lands included in the mining claims were as completely segregated from the reservation as if they had been described in the proclamation. The only question is, if the mineral claimants failed to maintain the annual assessment work would the land included therein by reason of such fact become a part of the Indian reservation. I know of no decision either by the courts or by the Department upon this point, the nearest reference being in the case of the Yosemite National Park (25 L. D., 48), where, speaking of the act creating said park, the Secretary stated:

"So long as the owner of the New Brunswick claim, or anyone regularly holding under him, complies with the mining laws, the ownership of the possessory title thereto and the right to operate the mine will not be in any way impaired by the said act."

The Secretary further held relative to the inquiry numbered 2:

"I would respectfully suggest that the superintendent of said park be instructed that in case any claim which was duly located and subsisting at the date of said act shall be made to appear to him as having been abandoned, that he report the facts in the case to the Secretary for his consideration and action."

The statute requires that \$100 worth of work must be annually performed upon mining claims in order to secure a possessory title. It is held, however, that owners of mining claims who have failed to perform the annual assessment work may revive their rights to such claims by a resumption of the necessary work at any time prior to the relocation of the land by other parties. In this case the land included in the mining claims was segregated from the Indian reservation, and there was no provision in the proclamation creating such reservation that such land would become part thereof upon the failure of parties to maintain their claims. But in any event it would require a presentation of all the facts in the case and a decision thereon before it could be determined whether the claims had been actually forfeited, for there is a difference between forfeiture and abandonment, the first being the consequence attached by law to certain facts, the latter the act of the party.

In the first, intention is immaterial; in the second, it is everything. A claim may be abandoned before it is forfeited. *Mallet v. Uncle Sam*, G. and S. M. C., 1 Nevada, 188.

Perhaps the Indian Office would have been warranted in reporting to the Department the failure of the mineral claimants to continue the annual assessment work with a view to determining whether the claims were actually abandoned and forfeited, and whether the land covered thereby came within the reservation.

I am still of the opinion, therefore, that no such action having been taken, mineral claimants who can show a right by location or transfer to claims located prior to the reservation should be permitted to resume work upon such claims.

The papers submitted with a copy of this report are herewith returned.

Very respectfully,

BINGER HERMANN,
Commissioner.

THE SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., June 8, 1900.

SIR: I have the honor to acknowledge your reference May 22, 1900, for report of a letter from A. Johnson relative to mining claims in the Navajo Indian Reservation, Ariz., and to state in reply that the matter of said letter was made the subject of my report to you dated May 18, 1900, a copy of which is herewith inclosed. It was held in said letter that a mining claim for land in said reservation located prior to the proclamation was excepted from such reservation, and that the locator or his grantors could resume work upon said claims without a permit from the Department.

The papers are herewith returned with a copy hereof.

Very respectfully,

BINGER HERMANN, *Commissioner*

THE SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, June 12, 1900.

SIR: I have the honor to acknowledge the receipt, by your reference for report, of a communication dated May 18, 1900, and inclosures, addressed to the Department by

the Commissioner of the General Land Office, relative to the rights of certain mineral claimants to locations made prior to the Executive order of May 17, 1884, within that portion of the Navajo Indian Reservation in the Territory of Arizona lying north of 36° 30' north latitude and west of the 111th meridian set apart by said Executive order.

Said portion of the Navajo Reservation was sought to be opened to mineral entry by a bill (H. R. 4001) which was introduced in Congress during its last session, but which, having been vetoed by the President, failed to become a law.

On May 11, 1900, the office reported to the Department that information had been received from the United States Indian agent at the Navaho Agency, N. Mex., that prospectors were on the western portion of the reservation, and in Department letter of May 14, 1900, the office was instructed to direct the agent to notify all trespassers and intruders as follows:

"All persons within that portion of the Navaho Indian Reservation in Arizona set apart by the Executive order of May 17, 1884, and within the following boundaries: on the north by the State of Utah, on the east by the 111° west longitude, on the south by 36° 30' north latitude, and on the west by 111° 30' west longitude, and the Colorado River, who claim under a mineral location made prior to the date of said Executive order, and all persons within that portion of said reservation which was set apart by the Executive order of January 8, 1900, lying north of 36° 30' north latitude, and west of 111° 30' west longitude, who claim under mineral locations made prior to January 8, 1900, must be required to furnish proof thereof for transmission to this office. All such persons failing to furnish the required proof within thirty days from date of receipt by them of notification to do so will be removed as intruders under section 2149 of the Revised Statutes."

The proper directions, in accordance with said instructions, were given the agent in office letter of May 17, 1900.

It appears from the statement of the Commissioner of the General Land Office, that the mining laws require that \$100 worth of work must be annually performed upon a mining claim in order that the claimant may obtain possessory title, but that it had been held that owners of mining claims who have failed to perform the annual assessment work may revive their rights to such claims by a resumption of the necessary work at any time prior to the relocation of the land by other parties. The Commissioner concludes:

"Perhaps the Indian Office would have been warranted in reporting to the Department the failure of the mineral claimants to continue the annual assessment work, with a view to determining whether the claims were actually abandoned and forfeited, and whether the land covered thereby came within the reservation.

"I am still of the opinion, therefore, that no such action having been taken, mineral claimants who can show a right, by location or transfer, to claims located prior to the reservation should be permitted to resume work upon such claims."

This office is in accord with the Commissioner of the General Land Office in the opinion that mineral claimants who can show a right by location or transfer to claims located prior to the reservation should be permitted to resume work upon such claims. Such was the intention of the office when it recommended the issuance of the notice hereinbefore quoted.

The papers referred to the office are herewith returned, with a copy of this report.

Very respectfully, your obedient servant,

W. A. JONES, *Commissioner*.

THE SECRETARY OF THE INTERIOR.

MONTROSE, COLO., June 25, 1900.

DEAR SIR: Inclosed please find a letter from Mr. A. Johnson, a very old gentleman who has been trying for fourteen or fifteen years to secure some mining land now on the Navaho Reservation, but at the time of location and record on the unoccupied mineral lands of the United States.

Before I left Washington, several weeks ago, I presented a formal request to you requesting a permit for Mr. Johnson to go in and work upon his claim, and you informed me it would be taken up at once and investigated. He has been there since early last fall attempting to get permission to work these claims that he located before the reservation was formed. I took his application with a list of his claims to the Indian Department twice, and was informed both times that on these claims he required no permit, but under the laws he could go and work them, and I so informed him each time as nearly in the language of the Indian Office as I could, but it seems whenever he would try to go in he would be stopped by the agent.

Mr. Johnson is very old, poor, and in wretched health, and it is very hard on him to remain so long in this indefinite condition.

I hope his case may be determined as early as possible.

Yours, truly,

JNO. C. BELL.

THE SECRETARY OF THE INTERIOR,
Washington, D. C.

FLAG STAFF, June 6, 1900.

MY DEAR SIR: I have just returned from a trip to Big Canyon. Found your two letters, and McMinn mailed me a letter you wrote him.

They give me an insight into the action of the Pittsburgers. I can not see why they are opposed to Keam and myself in securing our rights. They are a hard gang. They were determined to steal the whole of the district. Had they been satisfied with less, the result might have been different.

I am satisfied that I can show the Secretary of the Interior that I never did or intended to abandon the claims, but can prove it was not safe for me to go in at any time by records in the War Department.

I do not like to bother you with this statement, but I think if it was presented to the Secretary of the Interior he would recognize my right at once and issue me a permit.

The facts are these: Fred C. Fickey, a very prominent capitalist of the city of Baltimore, sent an expert by the name of Walcott down into that section to look for copper. Walcott engaged a party named McNulty to go with him. They secured some samples from my claim and others, and on their way out were killed by Indians within 60 or 70 miles of San Juan River. The Indians were arrested by Indian police, taken to Fort Defiance, but Apache County claimed jurisdiction and they were taken to St. Johns, Ariz., for trial. There a very prominent chief and his son, Oskina by name, escaped out of jail and are now running at large, fugitives from justice. Both of these Indians know me. Do you think it would be safe for me to be caught out there without support by them? You know it would be to their advantage to have me out of the way. I met the widow of Walcott by her request in Ouray a short time after the assassination and she showed me letters of instruction she had from Robert Lincoln, then Secretary of War, to Colonel Hays, then commanding Fort Lewis, to render all aid in his power to recover the body of her husband. She succeeded and buried him at Fort Wyngate. The Indians were very ugly as we were going out ten or twelve days later, and when we were at Mitchell's trading post on the San Juan River they brought on a fight in which one Indian was killed and two hurt. I left the post for aid, going to a cow pen in Montezuma Valley, then to Fort Lewis, and a troop of cavalry was sent down, or no doubt the few whites would have been killed. Most of the Indians who figured in the fight at the trading post were from the section in which the mines are located.

Would it be safe for me to go among them? Then, again, when I came out here and pulled out with everything to do my work, and it was never safe for me to go in sooner? I was informed by agent at Tuba City, by letter, that if I desired to go on the reserve I would have to secure a permit. I at once wrote to agent of the Navaho, and have not heard from him. But on receipt of information that the Pittsburg syndicate had fifteen or eighteen men out at the mines, I concluded to go out, and was informed by Thompson, in charge of the gang, that I could not do any work on any of my claims, and if I wanted anything out there I would have to proceed against them by suit at law. It was never my intention to abandon the claims, as I had expended too much money on them. I am satisfied that if the Secretary considers the situation, he will issue me the permit requested.

Thanking you for your kindness, I will show, in the near future, how I appreciate it.

Your friend,

A. JOHNSON.

Hon. J. C. BELL, M. C.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, July 2, 1900.

MY DEAR JUDGE: I inclose a permit to visit Indian agencies and have made it general, as I did not know what particular agency you would care to visit.

I sincerely hope that you will find pleasure and profit in your trip. With kind regards, I am

Yours, truly,

Hon. JOHN F. LACEY, *Oskaloosa, Iowa.*

W. A. JONES, *Commissioner.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, July 2, 1900.

To all Indian agents:

Hon. John F. Lacey, Member of Congress from Iowa, intends to visit your agency in the near future, and you will please tender him, and any friends that he may care to bring with him, the freedom of the reservation, according them all the facilities in your power to study the conditions of the Indians under your charge.

Judge Lacey is a member of the Committee on Indian Affairs in Congress, and is one of the best friends the Indian Office has in that body. -I hope you will do all in your power to make his visit pleasant.

Respectfully,

W. A. JONES, *Commissioner.*

FLAGSTAFF, ARIZ., *July 26, 1900.*

SIR: Being desirous of completing work on my mining claims within the Navajo Indian Reservation, I address you asking that I may be allowed the privilege of proceeding with assessment work there, and make the following statements relative to reasons for not completing assessment work at the time the claims were taken up.

The aforesaid five claims were taken up by me in the Butte Valley mining district (then in Yavapai County, and recorded at Prescott) in 1884, prior to the Executive order extending the Navajo Reservation over the said claims by President Chester A. Arthur. I will state my reasons as briefly as possible, showing why it was unsafe for me to work said mines at that time or thereafter, owing to Indian troubles which were not brought on by myself or any member of my party.

The facts are thus: About December 20, 1883, my party, including Victor Neff, William Grone, and myself, arrived at Mitchell's trading post on the lower San Juan. A Mr. Walcott and McNalley, in the interest of Fred C. Fickey, of Baltimore, Md., were at the post waiting to join our party for the section we had in view, to make examination of such properties as we had in that section. In a few days we crossed the river to proceed down the canyon to see claims I owned there. Walcott, McNalley, Grone, and myself, after prospecting for some time, we all started back to Butte Valley mining district, now called on the official map, "Keems mining district." Mr. Walcott was very anxious to get back to the San Juan River, but my party had about ten or fifteen days to do our assessment work. I so informed Mr. Walcott, stating that if he would remain until our assessment work was done we would go out with him, but they would not remain. The Indians seemed friendly on our way down and we did not anticipate any trouble with them, but evidently the Indians took a fancy to their outfit and both of them were murdered. Walcott was killed by having his head split open with a camp ax and his body was thrown into a canyon, while McNalley was out after horses. Two of the Indians were named Chaca and Oskinino, the latter a son of an old and prominent Navaho chief. They and two others were arrested by the authorities and taken to Fort Defiance for the murder. McNalley succeeded in getting about 35 miles south of the scene of the murder of Walcott and held the Indians off all day; at night he started south again. The father of Oskinino, feeling it was not safe to let McNalley get away, gathered together a band of Indians and waylaid him along the route and finally succeeded in killing him after a desperate battle. His bones still remain bleached on the mesa and the Indians speak of his great bravery to this day.

It appears that after the Indians connected with this double murder were in custody at Fort Defiance, Apache County claimed jurisdiction and they were turned over to said county. It appears also that old Oskinino was only charged with being an accessory to the killing of McNalley and was admitted to bail, which he secured by sending to the reservation for a band of horses and turned them over to parties at St. John to go on his bail. It appears that shortly after that old Oskinino secured his release; the other Indians in some way broke out of jail and are now running at large, fugitives from justice.

Now, Mr. Secretary, do you think it would be safe for me to go among these Indians when they know me and know that I know them? I thought it safer to wait until other persons located in the district, or until I could secure a permit from your Department or your agents.

I would state that I met Mrs. Walcott shortly after the murder of her husband. I never saw a woman in such distress. She showed me letters of instruction from Robert Lincoln, then Secretary of War, to the commander at Fort Lewis, to aid her in the recovery of the body of her husband. She afterwards informed me that the troops had succeeded in bringing out the body of her husband, which was buried at Fort Wingate, N. Mex. I will state further that on our way back to the San Juan River a party of Indians rounded us up at the head of Chille Canyon. I was certain by their actions they intended to kill us, as they were all fully armed. While we were in this position I saw another party of ten or fifteen Indians sitting on a high knoll. I remarked to Neff that the party, we saw at a distance were there to see the fun the others would have in killing us. He remarked that it looked very much like it.

The Indians had in the meantime formed into three groups within easy pistol shot of us, then sent one of their number down to interview us. I informed them that we were connected with Thomas Keems, who had and still has much influence with the Indians, stating that we were going to the San Juan River to trade and would be back in six days. These statements seemed to change their demeanor toward us and they left their guns among the rocks and came into our camp, remaining about half an hour. I was afterwards informed by E. H. Packwood, recorder of the Butte Valley mining district, that by connecting myself with Keems no doubt saved my life and the lives of my party. We succeeded in making the San Juan River without any further trouble. While lying at San Juan to rest our horses, the Mitchells, of the Mitchell trading post, brought on a fight with the Indians. It was entirely uncalled for, but we were there and forced into it. I am sorry to say that one Indian was killed in the fight.

At the request of Joe Dougherty, a brother of Captain Dougherty, of the Fifteenth United States Infantry, who was holding some cattle for himself and brother in that section, I consented to go to Fort Lewis, about 140 miles, for assistance, as we all expected the Indians to come in force in the morning early. This was on the 14th day of April, 1884; the killing of Walcott and McAlley must have taken place ten or twelve days earlier. After the hardest ride of my life, I succeed in gaining the fort and returned with the troops. The majority of the Indians connected with this trouble were from the west end of the reservation, in the vicinity of my mining claims. It would surely not have been safe for me to go among them, unless protected by your Department.

I again went to the mines in company with a party named John Yeager, in the spring of 1885, and deeming it not safe for us to go through the reservation, we went around the south side by Bitter Springs, within 18 miles of Lee's Ferry, and climbed up on the Mesa. We saw by the menacing demeanor of the Indians that it would be unsafe to remain long in that vicinity, and left at once. I think that Yeager is still alive, and will endeavor to secure his affidavit to this effect.

I was with Mr. William Williams and his father for a number of days on my return trip and I will endeavor to have them corroborate my statements. Mr. Frank Wood, executor of the estate of Fred C. Fickey, jr., 812 Equitable Building, Baltimore, Md., can make statement in regard to the murder of Walcott, and the records of Apache County will show that the Indians are fugitives from justice.

I will state positively that I never at any time intended to abandon these claims, only waiting until such a time as it would be safe for me to go back to work them. I wrote every year making inquiries endeavoring to ascertain whether or not others were in the vicinity of the claims, intending if there were, to return immediately. I do not desire to go onto the reservation in violation of the laws governing it.

No; Mr. Secretary, I would respectfully ask that you give my case early consideration as I am getting well along in years and have spent nearly all my life since the civil war in prospecting. I am well versed in all the laws governing mining and would have surely complied with them had it been safe for me to have done so.

I respectfully submit this question to you, and would be pleased to call on you personally and answer any and all questions you may desire to ask with reference to it.

Yours, very respectfully,

A. JOHNSON.

The SECRETARY OF THE INTERIOR,
Washington, D. C.

Subscribed and sworn to before me this 26th day of July, A. D. 1900

[SEAL.]

(My commission expires February 6, 1901.)

T. E. PULLIAM, Notary Public.

County Yavapai, A. T.

NOTICE OF LOCATION OF THE DURANGO LODGE.

That we, the undersigned, having complied with the requirement of the revised statutes of the United States and local customs and regulations, have located 1,500 linear feet on the Durango lode, vein, or deposit of rock in place bearing precious mineral.

Commencing at location monument and running five hundred (500) feet in a northerly direction and one thousand (1,000) feet in a southerly direction, together with three hundred (300) ft. on each side of the centre of said vein. This claim is situated in Butte Valley mining district, Yavapai County, A. T., and described as follows:

Commencing at NW. corner stake No. 1, thence 300 ft. to NW. centre stake No. 2, thence 300 ft. to NE. corner stake No. 3, thence 750 ft. to E. side center stake No. 4, thence 750 ft. to SE. corner stake No. 5, thence 300 ft. to S. centre stake No. 6, thence 300 ft. to SW. corner stake No. 7, thence 750 ft. to W. side centre stake No. 8, thence 750 ft. to NW. corner stake No. 1. This claim is situated west of the Tom Kean lode, about 440 yards from Mon't to Mon't and joining the La Plata on the east.

Discovered March 19, 1884.

Located March 21, 1884.

Locators:

A. JOHNSON ($\frac{1}{4}$).
 W. M. GROEN ($\frac{1}{4}$).
 V. E. NEFF ($\frac{1}{4}$).
 J. R. WAKELIN ($\frac{1}{16}$).
 N. G. JARRARD ($\frac{1}{16}$).
 W. M. GOUSHER ($\frac{1}{16}$).
 A. DEAN ($\frac{1}{16}$).

Recorded at request of A. Johnson in Butte Valley mining district records, on page 25. March 31, 1884.

E. T. PACKWOOD, *Recorder*.

Filed and recorded at request of N. J. Jarrard, May 16, A. D. 1884, at 9 o'clock a. m., in book 20 of mines, pages 26-27, records of Yavapai County, Ariz.

H. H. CARTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai*, ss:

I, W. I. Johnson, county recorder in and for the said county, in said Territory, and custodian of the records thereon, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of the notice of location of the Durango mining claim, as the same appears from the records of my office in book 20 of mines, pages 26-27, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 10th day of July, A. D. 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

County of Yavapai, A. T.

NOTICE OF LOCATION OF LA PLATA LODGE.

Notice is hereby given that the undersigned, having complied with the requirements of the Revised Statutes of the United States and local customs and regulations, have located fifteen hundred (1,500) linear feet of the La Plata lode, vein, or deposit of rock, in place-bearing surface mineral.

Commencing at location monument and running seven hundred and fifty (750) ft. in a northerly direction and seven hundred and fifty (750) feet in a southerly direction, and three hundred feet (300) on each side of location monument. The above claim is situated in the Butte Valley mining district, Yavapai County, A. T., and described as follows:

Commencing at the NW. corner stake No. 1, thence 300 ft. east to north center stake No. 2, thence 300 ft. to NE. corner stake No. 3, thence 750 ft. to east side center No. 4, thence 750 ft. to SE. corner stake No. 5, thence 300 ft. to south and center stake

No. 6, thence 300 ft. to SW. corner stake No. 7, thence 750 ft. to west side center stake No. 8, thence 750 feet to NW. corner stake No. 1.

This claim joins the Durango lode on the west and about 450 ft. of the San Juan lode.

Discovered March 23, 1884.

Located March 24, 1884.

Locators:

A. JOHNSON ($\frac{1}{4}$).
WILLIAM GROEN ($\frac{1}{4}$).
B. E. NEFF ($\frac{1}{4}$).
J. R. WAKELIN ($\frac{1}{16}$).
N. G. JIRRARD ($\frac{1}{16}$).
WM. GOUSHER ($\frac{1}{16}$).
A. DEAN ($\frac{1}{16}$).

Recorded at the request of A. Johnson, in Butte Valley mining district records, on page 28, March 31, 1884.

E. T. PACKARD, *Recorder*.

Filed and recorded at request of N. J. Jirrard, May 16, A. D. 1884, at 9 o'clock a. m., in book 20 of Mines, pages 27-28, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai*, ss:

I, W. I. Johnson, county recorder in and for the county of Yavapai, Territory of Arizona, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the La Plata mining claim as the same appears of record in my office in book 20 of Mines, pages 27-28, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this the 30th day of July, A. D. 1900.

W. I. JOHNSON, *County Recorder*.

Yavapai County, A. T.

NOTICE OF LOCATION OF THE SAN JUAN.

Notice is hereby given that the undersigned, having complied with the requirements of the Revised Statutes of the United States and local customs and regulations, have located fifteen hundred (1,500) linear feet on the San Juan lode, vein, or deposit of rock, in place-bearing precious minerals, commencing at Discovery monument and running 750 feet in a northerly direction and seven hundred fifty (750) feet in a southerly direction, together with three hundred (300) feet on each side center of said vein.

This claim is situated in Butte Valley mining district, Yavapai County, A. T., and described as follows: Commencing at NW. corner stake No. 1, thence 300 feet to N. end center stake No. 2, thence three hundred ft. to NE. corner stake No. 3, thence 750 ft. to E. side center stake No. 4, thence 750 ft. to SE. corner stake No. 5, thence 300 ft. to S. end center stake No. 6, thence 300 ft. to SW. corner stake No. 7, thence 750 ft. to W. side center stake No. 8, thence 750 ft. to NW. corner stake No. 1.

This claim is situated about 80 ft. east of the Victor lode and about 450 ft. west of the La Plata lode.

Discovered March 23, 1884.

Located March 24, 1884.

Locators:

A. JOHNSON ($\frac{1}{4}$).
WM. GROEN ($\frac{1}{4}$).
V. E. NEFF ($\frac{1}{4}$).
J. R. WAKELIN ($\frac{1}{16}$).
N. G. JIRRARD ($\frac{1}{16}$).
WM. GOUSHER ($\frac{1}{16}$).
A. DEAN ($\frac{1}{16}$).

Recorded at the request of A. Johnson, in Butte Valley mining district records, on page 27, March 31, 1884.

E. T. PACKARD, *Recorder*.

Filed and recorded at request of N. J. Jarrard May 16, A. D. 1884, at 9 o'clock a. m., in book 20 of Mines, pages 22 to 23, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for the county of Yavapai, Territory of Arizona, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, a notice of location of the San Juan mining claim, as the same appears of record in my office in book 20 of Mines, pages 22 to 23, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this the 19th day of March, A. D. 1900.

W. I. JOHNSON, *County Recorder.*

County Yavapai, A. T.

NOTICE OF LOCATION OF THE VICTOR LODE.

Notice is hereby given that the undersigned, having complied with the requirements of the Revised Statutes of the United States and local customs and regulations, have located fifteen hundred (1,500) linear feet on the Victor lode, vein, or deposit of rock in place bearing precious mineral.

Commencing at location monument and running seven hundred and fifty (750) feet in a northerly direction and seven hundred and fifty (750) feet in a southerly direction, together with three hundred (300) feet on each side center of said vein.

The above claim is situated in Butte Valley mining district, Yavapai Co., A. T., and described as follows:

Commencing at NW. corner stake No. 1, thence 300 ft. to north center stake No. 2, thence 300 ft. to NE. corner stake No. 3, thence 750 ft. to east side center stake No. 4, thence 750 ft. to SE. corner stake No. 5, thence 300 ft. to south end center stake No. 6, thence 300 ft. to SW. corner stake No. 7, thence 750 ft. to west side center stake No. 8, thence 750 ft. to NW. corner stake No. 1. This claim is situated about 80 ft. west of San Juan lode.

Discovered March 19, 1884.

Located March 21, 1884.

Locators:

A. JOHNSON ($\frac{1}{4}$).
 WM. GREEN ($\frac{1}{4}$).
 V. E. NEFF ($\frac{1}{4}$).
 J. R. WAKELIN ($\frac{1}{8}$).
 N. G. JIRRARD ($\frac{1}{8}$).
 WM. GOUSHER ($\frac{1}{8}$).
 A. DEAN ($\frac{1}{8}$).

Recorded at request of A. Johnson, in Butte Valley mining districts records, on page 26, March 31, 1884.

E. T. PACKWOOD, *Recorder.*

Filed and recorded at request of N. J. Jarrard, May 16, A. D. 1884, at 9 o'clock a. m., in book 20 of Mines, at pages 25-26, records of Yavapai County, Arizona.

H. H. CARTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for the county of Yavapai, Territory of Arizona, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Victor mining claim, as the same appears for record in my office in book 20 of Mines, pages 25-26, records of Yavapai County, Arizona.

In witness whereof I have hereunto set my hand and affixed my official seal this the 30th day of July, A. D. 1900.

W. I. JOHNSON, *County Recorder.*

STATE OF COLORADO, *County of Ouray, ss:*

Thomas Reilly and James Reilly, first being duly sworn, depose and say: That they are residents of the town of Chattanooga, San Juan County, State of Colorado, and that they are personally acquainted with A. Johnson and John Yager, and have been acquainted with the aforesaid A. Johnson and John Yager prior to 1885, and

that they know of the said Johnson and Yager outfitting for a prospecting trip to the Butte Valley mining district in Coconino County, Territory of Arizona, about the month of January of the year of 1885, and that after so outfitting started for the aforementioned district, and that, on their return in the month of May in the same year, that John Yager on arriving in Chattanooga made a statement of said trip and experiences thereon.

THOS. REILLY.
JAMES REILLY.

Subscribed and sworn to before me this 1st day of August, 1900.

G. B. THOMAS, *Notary Public*.

(My commission expires July 18, 1902.)

NAVAHO AGENCY,
Fort Defiance, Ariz., August 2, 1900.

SIR: I have the honor to inclose herewith what purports to be a deed or location filing of the Victor lode, by A. Johnson et al., located in county Yavapai, Ariz., said to be recorded on the 16th of May, 1884.

Also one known as the "Dark Horse" lode, dated on the ground the 2d day of January, 1883, and recorded on the 5th day of February, 1883, in favor of T. V. Keam et al.

If this is considered sufficient proof that their claims are valid and that have right to operate them I would be glad to be so advised soon, that I may not take steps to remove them.

Very respectfully,

G. W. HAYZLETT,
United States Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

County Yavapai, A. T.

NOTICE OF LOCATION OF THE VICTOR LODE.

Notice is hereby given that the undersigned, having complied with the requirements of the Revised Statutes of the United States and local customs and regulations, have located fifteen hundred (1,500) linear feet on the Victor lode, vein, or deposit of rock in place bearing precious mineral.

Commencing at location monument and running seven hundred and fifty (750) feet in a northerly direction, and seven hundred and fifty (750) feet in a southerly direction, together with three hundred (300) feet on each side center of said vein.

The above vein is situated in Butte Valley mining district, Yavapai Co., A. T., and described as follows: Commencing at NW. corner stake No. 1, thence 300 ft. to north centre stake No. 2, thence 300 ft. to NE. corner stake No. 3, thence 750 ft. to east side centre stake No. 4, thence 750 ft. to SE. corner stake No. 5, thence 300 . . . to south end centre stake No. 6, thence 300 ft. to SW. corner stake No. 7, thence 750 ft. to west side centre stake No. 8, thence 750 ft. to NW. corner stake No. 1. This claim is situated about 80 ft. west of the San Juan lode.

Discovered March 19, 1884.

Located March 21, 1884.

Locators:

A. JOHNSON ($\frac{1}{4}$).
WM. GROEN ($\frac{1}{4}$).
V. E. NEFF ($\frac{1}{4}$).
J. R. WAKELIN ($\frac{1}{16}$).
N. G. JARRARD ($\frac{1}{16}$).
WM. GOUSHER ($\frac{1}{16}$).
A. DEAN ($\frac{1}{16}$).

Recorded at request of A. Johnson, in Butte Valley mining districts records, on page 26, March 31, 1884.

E. T. PACKWOOD, *Recorder*.

Filed and recorded at request of N. J. Jarrard, May 16, A. D. 1884, at 9 o'clock a. m., in book 20 of mines, at pages 25-26, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of the notice of location of the Victor mining claim, as the same appears from the records of my office in book 20 of mines, pages 25 and 26, records of Yavapai County, Ariz.

In witness whereof, I have hereunto set my hand and affixed my official seal this 26th day of June, A. D. 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE.

YAVAPAI COUNTY, *Territory of Arizona.*

We, the undersigned citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place, bearing precious minerals. Commencing at this monument and running 200 feet in a southeasterly direction and 1,300 feet in a north-westerly direction, together with 300 feet on each side of centre of said vein, for mining purposes. This claim is situated about 45 miles N. N. W. from Moen Kopi and about 30 miles S. S. West from Navajo Mt. The nearest known claim is the Bonny Dundee, being the adjoining claim on the west.

This claim shall be known as the "Dark Horse" lode.

Dated on the ground this 2nd day of January, 1883.

Locators:

T. V. KEAM.

A. M. STEPHEN.

A. J. JOHNSTON.

T. E. McELMELL.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of Mines, page 338, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for the county of Yavapai, in the Territory of Arizona, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with and the same is a full, true, and correct copy of the notice of location of the Dark Horse mining claim as the same appears of record in my office in book 16 of Mines, on page 338, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this the 7th day of July, A. D. 1899.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

[Telegram.]

OSKALOOSA, IOWA, *August 8, 1900.*

Hon. W. A. JONES,

Commissioner Indian Affairs, Washington, D. C.:

Kindly wire thirty days' leave to John N. Stewart, blacksmith at Navaho Agency, Fort Defiance. Please answer.

JOHN F. LACEY.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., August 9, 1900.

Hon. JOHN F. LACEY, *Oskaloosa, Iowa:*

Agent at Navaho directed to grant Stewart thirty days leave to take effect at once.

W. A. JONES, *Commissioner.*

[Telegram.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., August 9, 1900.

HAYZLETT, Agent, Navaho Agency, Gallup, N. Mex.:

Thirty days leave hereby granted John Stewart, agency blacksmith, to be taken at once if he so desires. Report dates of departure and return.

W. A. JONES, Commissioner.

OSKALOOSA, IOWA, August 13, 1900.

MY DEAR SIR: I wrote you a few days ago saying that I would write you more fully in a day or two in regard to matters in Navajo Reservation.

The facts in the case are that in 1884 there was considerable interest manifested in the Keam Copper District and a good many claims have been located there.

When President Arthur extended the reservation in 1884, he in terms excluded from it all located tracts, in the following language:

"Provided, That any tract or tracts within the region of country described as aforesaid, which are settled upon or occupied or to which valid rights have attached under existing laws of the United States prior to date of this order, are hereby excluded from this reservation."

So you will see that practically the most valuable of the copper land is expressly excluded from the reservation, and needed no law to open it, but it has remained open to entry all the time.

Since 1884 the original locators have abandoned the claims and ceased to perform the assessment work, and the land became again public land and subject to location under the mineral land laws, because the tracts covered by valid locations in 1884 were "excluded from the reservation." The reservation was not extended "subject to locations," so that on failure of locators to do the assessment work the land would fall into the reservation, but the extension was made "excluding the tracts" of located land from the reservation.

This greatly simplifies the whole matter, as the excluded tracts cover most of the mineral, and it is quite fortunate that this is true, because the land is wholly worthless for grazing.

It is a barren, rocky desert, and not an animal of any kind was grazing there when I visited it. As the question, in the light of these facts, becomes an interesting one to the Indian Bureau, I thought it well that you should know the boundaries of the tracts excluded from the reservation, and as Mr. Stewart, the blacksmith at Fort Defiance, was there when the claims in force in 1884 were originally staked and prospected, I thought it well that he might go with the surveyors, so that when the papers in the matter came to you you might know the real boundaries of the lands which were excluded from the reservation, and hence telegraphed you for a leave of absence for that purpose, which I am glad to know that you granted.

This will enable you to have all the facts before you.

The situation is simply this: A few hundred acres of copper land had been located when the reservation was extended in 1884. President Arthur did not desire to prevent the working of the copper, and hence, in terms he excluded it from the reservation. He did not merely attempt to protect claimants, but in terms preserved the tracts from mineral working, so that the reservation would not operate to injure the territory by giving mineral lands to the Indians, where the same was worthless for grazing.

Scarbreast has a family and some stock at his spring, about 10 miles from this land, but there is very little for them to graze upon. He has a few horses and a few hundred sheep and goats. The working of the mines will not interfere with him, but will, of necessity, result in the development of water. I found that Tuba Mormons are anxious to close out their sale to the Government.

The Tuba City and Willow Springs tracts, of perhaps 1,500 acres in all, are of value to the Indians and constitute about all that is worth anything of the land embraced in the order of January, 1900.

I am glad to inform you of these facts, because without further legislation the mineral resources of the territory can be developed without injury to the Indians.

There is nothing that the miner wants that the Indian cares for, and this property can be worked without detriment to any Indians. Scarbreast's people number about a dozen. Tuba City is more than 50 miles from the Keam district mines, so that

there is nothing to the detriment of the Indians in allowing these mines to be worked, and they are apparently of considerable value.

I went all over the extension of 1884 and 1900, and speak from personal observation. The present situation vindicates the sound judgment of your Bureau and of President Arthur in reserving for the whites what the territory needs instead of condemning it to barren idleness. The sooner it is opened and worked the better for all concerned.

The constantly traveled Salt Lake City and Flagstaff road, known as the Utah trail, passes near this mineral land, and for more than 30 years has been constantly traveled. I met travelers constantly going from Arizona to Utah, or vice versa, on this road within the boundaries of the land embraced in the order of 1884, and also in the order of 1900, so that the travel on this road can do no harm, nor do the Indians in manner object to it. The Indians, so far as I could learn, make no objection to the mining work there, but rather favor it, as it would give them a market for mutton, and some of these Indians have applied for work in the mines.

Yours, truly,

JOHN F. LACEY.

Hon. W. A. JONES.

The parties in interest will in a few days make an official return to the notice served upon them.

FLAGSTAFF, ARIZ., *August 13, 1900.*

MY DEAR MR. JOHNSON: I received your very welcome of the 2d. I am glad things are looking bright and hope you have things settled by this time. My mail went wrong, and I did not get it until the 11th, but I was even glad to hear from you at so late a day. I send saddle to-day. I met John Francis, Dick Thompson, and party going out to reservation. All I could learn was that they were going out to survey some property. They had two 4-horse teams and three men with saddle horses. Flag is about as usual. Hoping I will get an early reply, I remain, as ever,

Your friend,

M. W. CRAIG.

P. S.—Give my regards to Mr. Pitgin.

FLAGSTAFF, ARIZ., *August 15, 1900.*

SIR: On the 7th day of August, A. D. 1900, each of the undersigned were serve with a notice by E. E. Rogers, United States Indian farmer at Tuba City, Navaho Indian Reservation, Ariz. (a copy of which, with the return thereon, is hereto attached, marked Exhibit A), requiring the undersigned, who are, in common with others, claiming and working certain mining locations surrounded by that portion of said reservation created by Executive order of May 17, 1884, and whose claims are based upon locations made prior to the date of said order, to furnish proof of their right to such claims within thirty days from the date of receipt by them of said notice. Pursuant to said notice, we beg leave to submit the following statement:

By an Executive order dated May 17, 1884, the boundaries of the Navaho Indian Reservation were so extended as to surround the then Keam mining district, but by express terms of said Executive order all lands that had been located or claimed, or to which valid rights had attached under existing laws of the United States prior to the date of said order, were excluded from said reservation by the following proviso contained in said order:

"Provided, That any tract or tracts within the region of country described as aforesaid which are settled upon or occupied or to which valid rights have attached under existing laws of the United States prior to date of this order are hereby excluded from this reservation."

Prior to the date of said order, certain tracts had been located and valid rights had attached thereto, under existing mining laws of the United States, by virtue of mining locations made by various persons, which claims were and remained valid and in full force and effect at the date of said Executive order, and that under said order, by reason of the excluding clause above quoted, the tracts covered by claims did not become a part of said reservation and have never since been included therein, nor have they ever been withdrawn from location or settlement.

That said tracts therefore remained part of the general public domain, subject to the mineral and other public-land laws of the United States, and the Indian Bureau has never at any time had control or jurisdiction over the same, inasmuch as said tracts never were at any time a part of said reservation.

That after the date of said Executive order the original locators of said mining claims abandoned the same and failed and neglected to perform the annual assessment work thereon as required by law, and therefore forfeited the said claims and each of them.

That during the year 1900, and while the said claims were still in a condition of abandonment and forfeiture and before the annual labor required by law had been resumed by the original locators, the undersigned and others located said claims in accordance with the mining laws of the United States and the Territory of Arizona, and have performed the labor thereon in all respects according to law, and have in all respects complied with the mining laws in relation thereto, and until the service of Exhibit A were in peaceable and lawful possession.

That by reason of the conditions above stated, a controversy has arisen between some of the original locators and the undersigned as to the continued validity of the said original locations. That in view of the facts already stated, the undersigned claim to be the rightful and lawful owners of said mining claims; and that their said claims and those claimed under the same rights, and none others, are valid and in force, the said original locators and their assigns having forfeited, by their abandonment and failure to perform the annual labor as aforesaid, any and all rights therein.

That the tracts of land aforesaid, being in express terms withheld from the reservation by the Executive order aforesaid, although surrounded by said reservation, no claim has been made until recently, and subsequent to the locations made as aforesaid by the undersigned; that the claimants of said tracts had not the right to occupy and work said tracts and to cross and recross the reservation in going to and from said claims, and that the aforesaid notice served upon the undersigned seem to imply such right to the original claimants and their assigns. That the said notice, by implication, seems to deny the right of any persons other than the original locators of said claims or their assigns to locate thereon or to occupy the same or to cross and recross the reservation in going to and from the same, and might be construed to mean that no claims will be recognized by the Indian Bureau as valid and legal except those of the original locators or their assigns.

The statutes of Arizona (Session Laws 1899, p. 16) provide that "before filing the location certificate with the county recorder of the proper county the locator shall locate his lode claim by: First, sinking a discovery shaft upon the premises so claimed to a depth of at least 10 feet from the lowest part of the rim of said shaft at the surface, and deeper if necessary, until there is shown by such work a lode deposit or mineral in place; second, by posting at the point of discovery on the surface a plain sign or notice substantially conforming to the location certificate; third, by marking such claim or premises on the ground so that its boundaries can be readily traced." And the undersigned respectfully represent that after the location notices on the claims in dispute as hereinafter set forth had been posted by Thomas V. Keam, or caused to be posted by him, no work of any kind was done on either of said claims by him or for him within ninety days from the date of said location notices, or at any time thereafter.

In view of the facts hereinbefore set out, the undersigned would therefore respectfully represent as follows:

1. That because of the express exclusion of said tracts of land from the reservation aforesaid, as provided in said Executive order of May 17, 1884, the Indian Bureau never had at any time control over the same; but that they remained a part of the public lands and subject to the mineral and other public-land laws of the United States.

2. That the original locations of said mining claims have become invalid and void because of their abandonment by the locators thereof and the failure of said locators to perform the annual labor thereon as required by law since the date of said Executive order of May 17, 1884.

3. That said mining claims have therefore been and remain forfeited by the original locators thereof and their assigns; and that upon such forfeiture said lands became subject to relocation by any qualified person or persons, and that such claims were located by the undersigned and others while the same were in a condition of forfeiture and prior to the resumption of annual labor by said original locators.

4. That by reason of the facts hereinabove set forth the undersigned and all others claiming upon the same grounds and upon the same conditions are the rightful owners of said mining claims; that their claims alone are valid and in force, the said original claimants or their assigns having lost by abandonment and forfeiture as aforesaid all right and title thereto.

5. That the tracts of land in controversy being a part of the public domain of the United States, by reason of the exclusion clause in said Executive order, the Indian Bureau has no authority or jurisdiction to determine the matters in controversy

between the original claimants of said mining claims or their assigns and the undersigned; and the undersigned submit this, their statement, protesting that the Indian Bureau has not jurisdiction over the lands aforesaid and that the question involved is the right of conflicting claimants upon public lands in terms excluded from the reservation.

6. That the undersigned are informed and believe that the said complaint made to the Indian Bureau by persons interested with the original locators or their assigns was so made for the reason that the complainants were unwilling to submit their claims to the proper officials for determination, and for the purpose of subverting the rights of the undersigned.

We attach hereto evidence in support of our statement.

WM. HICKLIN.
J. W. FRANCIS.
J. W. WRIGHT.
J. J. DAVIS.
E. M. JACKET.
W. H. THOMPSON.
J. B. TANNER.
ASHTON NEEBEKER.
J. L. FOUTZ.
L. J. FOUTZ.
MAUD FOUTZ.
R. E. POWELL.
D. M. FRANCIS.
F. M. LIVERMORE.
By ES. CLARK, *Attorney.*

The SECRETARY OF THE INTERIOR,
Washington, D. C.

EXHIBIT A.

WASHINGTON, *May 17, 1900.*

SIR: Referring to your letter dated May 2, 1900, you are hereby directed in accordance with instructions contained in Department letter dated May 10 and May 14, 1900, to take all necessary steps to give the following notice to all trespassers and intruders on that portion of the Navajo Reservation lying west of the one hundred and eleventh meridian and north of $36^{\circ} 30'$ north latitude.

All persons within that portion of the Navajo Indian Reservation in Arizona set apart by the Executive order of May 17, 1884, and within the following boundaries: On the north side by the State of Utah, on the east by the 111° west longitude, on the south by $36^{\circ} 30'$ north latitude, and on the west by $111^{\circ} 30'$ west longitude and the Colorado River, who claim under a mineral location made prior to the date of said Executive order, and all persons within that portion of said reservation which was set apart by the Executive order of January 8, 1900, lying north of $36^{\circ} 30'$ north latitude and west of $111^{\circ} 30'$ west longitude, who claim under mineral locations made prior to January 8, 1900, must be required to furnish proof thereof for transmission to this office.

All such persons failing to furnish the required proof within thirty days from date of receipt by them of notification to do so will be removed as intruders, under section 2149 of the Revised Statutes.

In the event that such persons fail to furnish the required proof within the time specified you will eject them from the reservation, using such force as may be required to put them off. If the police force at your command be unable to carry out these orders you will so inform this office and will state whether military assistance will be needed for the purpose.

Very respectfully,

A. C. TONNER,
Acting Commissioner.

G. W. HAYZLETT, Esq.,
United States Indian Agent, Navajo Agency, N. Mex.

The above order is hereby handed you for your information. You will make the required proof and transmit the same through me within thirty days from this date.

G. W. HAYZLETT,
United States Indian Agent.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, August 15, 1900.

SIR: I acknowledge the receipt of your letter dated August 2, 1900, inclosing certified copies of the notices of location of the Victor and Dark Horse lodes in Yavapai County, Ariz., the former being signed by A. Johnson, William Green, V. E. Neff, J. R. Wakelin, N. G. Jirard, William Gousher, and A. Dean, and the latter by T. V. Keam, A. M. Stephen, A. J. Johnston, and T. A. McElmell, as locators.

It appears that the Victor lode was discovered March 19, 1884, and was located March 21, 1884, and that notice thereof was recorded in Butte Valley mining district on March 31, 1884, and was subsequently recorded among the records of Yavapai County on May 16, 1884. The Dark Horse lode seems to have been discovered January 2, 1883, and was located on the same date. The notice was recorded among the records of said county on February 5, 1883.

You desire to be advised if these notices shall be considered sufficient proof of the validity of the claims so as to entitle the owners to now operate them.

In office letter dated June 12, 1900, addressed to the Department, the opinion was expressed that mineral claimants who can show a right by location or transfer to claims located prior to the reservation should be permitted to resume work upon such claims.

As the notices submitted by you show that the claims were located prior to the date of the Executive order of May 17, 1884, the locators should, in accordance with said opinion, be allowed to resume work upon their claims.

If the parties mentioned have other claims on the reservation, they must be required to furnish similar evidence, in the case of each claim, of its having been located prior to the reservation.

Copies of the notices referred to are herewith inclosed for the files of your office. The originals will be retained in this office.

Very respectfully,

W. A. JONES, *Commissioner.*

G. W. HAYZLETT, Esq.,

United States Indian Agent, Navaho Agency, Fort Defiance, Ariz.

NAVAHO AGENCY,
Fort Defiance, Ariz., August 22, 1900.

SIR: I have the honor to acknowledge receipt of telegram of 21st instant, stating information from various sources is received that persons without show of authority are trespassing on the mineral lands of this reservation, that I am lending assistance to such, directing me to enforce my order at once without fear or favor.

To the above allegations I make absolute denial, and state that there is not the least possible shadow of foundation for such statements. Now, to convince the office, should it be necessary, I will quote from a few of Mr. Elwin E. Rogers's letters, our additional farmer at Tuba, which are in answer to those written him on this subject.

Under date of May 7 he says:

"Yours of 2d instant at hand. Those parties show no inclination to obey in regard to vacating the reservation, but yesterday all parties left that district, and until the bill becomes a law may stay away; but should it become a law in the near future we will have our hands full unless there are troops stationed in that vicinity to keep the prospectors from going at will over other parts of the reservation, as they are a set that have no regard for the Indian, and think he should have no existence. If you should get instructions as to what steps to take, notify me that I may be in shape to act."

* * * * *

May 16.—"The prospectors have all quit the country." * * *

July 16.—"That gang of prospectors came through near Tuba on their way to the Keams district day before yesterday, and from what I am able to learn they are anxious for further steps to be taken. I am also informed that it will not do to send the Indian police to eject them. They indicate that they want trouble. I will notify them to vacate and then send you word whether they will obey or not." * * *

July 26.—"The attorney for the Pittsburg people started for the Keams district to-day to serve notice on all their employees so that there would be no delay in getting the matter settled. I have served all persons here who claim right up there with notice. * * * I also inclose notices as served on all parties so far as possible. This I don't suppose to be necessary, and should be returned for file in this office. You will notice that Clark and Christy are attorneys for a number of these boomers." * * *

My action as to keeping those parties out of that country dates long before the instructions from the office to me on this matter, and, no doubt, some persons feel they have been hurt, and for that reason want to make a kick on me.

I have directed Mr. Rogers in every matter as to keeping the parties out of that country. He is located in that vicinity while I am 200 miles distant.

Now, a little recent history in regard to the movements of certain parties on August 6, one J. W. Francis, of Flagstaff, who is operating in connection with Attorney Clark et al, called at the agency with the hope and expectation from actions that I would lend them some favor in their matter. He admitted they were unfriendly to Mr. Rogers; that they had not and would not obey his orders. He was informed that the orders given by Mr. R. were my orders and that he was now ordered to remove every man they had on the reservation, and see that they were kept off until the matter was adjusted to the satisfaction of the Department, and that when he furnished the required proof that they had a legal right there, then the order would be suspended, and that the records of filing, etc., would be the required proof. He promised me faithfully that he would go at once and call every man in and stay off until the matter was settled.

He then went to our blacksmith, John Stewart, and asked him about what he knew about the mines in that country, Mr. S. having been there many years since and claimed to know all about each claim, then returned to me and wanted me to let Mr. Stewart go with him to show him and point out different claims, etc. I informed him Mr. S could not go; that the records I thought were the only evidence that would be taken; that I could not spare Mr. S., and that I had no authority to let him go even if he could be spared. He offered to pay for Stewart's time or a substitute, if I would allow him to take him with him. All this after having promised to return and call his men off, at once. Following this, on the evening of August 9, I received telegram from the office that thirty days' leave were granted John Stewart, agency blacksmith, to be taken at once if he so desired.

The next morning Mr. Francis was back here and took Mr. Stewart with him. I served the same notices on Keam, Johnson, and others, and have treated all alike, and whoever made the complaint against me must feel that he has been squeezed. I would like to have a list of the informants. It might be of benefit to the Department as well as myself in dealing with them in future.

Very respectfully,

GEO. W. HAYZLETT,
United States Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

WASHINGTON, May 17, 1900.

SIR: Referring to your letter dated May 2, 1900, you are hereby directed, in accordance with instructions contained in Department letter dated May 10 and May 14, 1900, to take all necessary steps to give the following notice to all trespassers and intruders on that portion of the Navaho Reservation lying west of the one hundred and eleventh meridian and north of 36° 30' north latitude. All persons within that portion of the Navaho Indian Reservation in Arizona set apart by the Executive order of May 17, 1884, and within the following boundaries: On the north by the State of Utah; on the east by 111° west longitude; on the south by 36° 30' north latitude, and on the west by 111° 30' west longitude and the Colorado River; who claim under mineral location made prior to the date of said Executive order; and all persons within that portion of said reservation which was set apart by the Executive order of January 8, 1900, lying north of 36° 30' north latitude and west of 111° 30' west longitude, who claim under mineral locations made prior to January 8, 1900, must be required to furnish proof thereof for transmission to this office. All such persons failing to furnish the required proof within thirty days from the date of receipt by them of notification to do so will be removed as intruders under section 2149, Revised Statutes.

In the event that such persons fail to furnish the required proof within the time specified, you will eject them, using such force as may be required to put them off. If the police force at your command be unable to carry out these orders, you will so inform this office and will state whether military assistance will be needed for the purpose.

Very respectfully,

A. C. TONNER,
Acting Commissioner.

G. W. HAYZLETT, Esq.,
United States Indian Agent, Navaho Agency, N. Mex.

The above copy order is hereby handed you for your information. You will make the required proof and transmit the same through me within thirty days from this date.

Very respectfully,

G. W. HAYZLETT,
United States Indian Agent.

Acceptance of service of this notice is hereby made this 1st day of August, A. D. 1900, at Keams district, Navaho Reservation.

H. L. CHRISTY,
For himself and various parties whom he represents.

WASHINGTON, May 17, 1900.

SIR: Referring to your letter dated May 2, 1900, you are hereby directed in accordance with instructions contained in Department letter dated May 10 and May 14, 1900, to take all necessary steps to give the following notice to all trespassers and intruders on that portion of the Navaho Reservation lying west of the one hundred and eleventh meridian, and north of $36^{\circ} 30'$ north latitude. All persons within that portion of the Navaho Indian Reservation in Arizona set apart by the Executive order of May 17, 1884, and within the following boundaries: On the north by the State of Utah; on the east by 111° west longitude; on the south by $36^{\circ} 30'$ north latitude; and on the west by $111^{\circ} 30'$ west longitude and the Colorado River, who claim under mineral location made prior to the date of said Executive order, and all persons within that portion of said reservation which was set apart by the Executive order of January 8, 1900, lying north of $36^{\circ} 30'$ north latitude and west of $111^{\circ} 30'$ west longitude, who claim under mineral locations made prior to January 8, 1900, must be required to furnish proof thereof for transmission to this office. All such persons failing to furnish the required proof within thirty days from the date of receipt by them of notification to do so will be removed as intruders under section 2149, Revised Statutes.

In the event that such persons fail to furnish the required proof within the time specified you will eject them, using such force as may be required to put them off. If the police force at your command be unable to carry out these orders you will so inform this office, and will state whether military assistance will be needed for the purpose.

Very respectfully,

A. C. TONNER,
Acting Commissioner.

G. W. HAYZLETT, Esq.,
United States Indian Agent, Navaho Agency, N. Mex.

The above copy order is hereby handed you for your information. You will make the required proof and transmit the same through me within thirty days from this date.

Very respectfully,

G. W. HAYZLETT,
United States Indian Agent.

Acceptance of service of this notice is hereby made this 1st day of August, A. D., 1900, at Keams district, Navaho Reservation.

E. S. CLARK,
*As attorney for William Hicklin and his assigns, and W. H. Thompson,
J. W. Francis, H. Jacoby, E. M. Tackett, Ashton Nebekie, and self.*

[Telegram.]

FORT DEFIANCE, ARIZ., August 23, 1900.

COMMISSIONER INDIAN AFFAIRS, Washington, D. C.:

Telegram received relative to trespassers on mineral land on reservation; allegations positively denied. Letter follows.

HAYZLETT, Agent.

[Telegram.]

GALLUP, N. MEX., August 25, 1900.

COMMISSIONER INDIAN AFFAIRS, Washington, D. C.:

An agency employee just returned reports all intruders in mineral district leaving. Think will be no more trouble. Have kept an employee there almost continually since early in May. I think my force adequate now to keep the field clear.

HAYZLETT, Agent.

[Telegram.]

DES MOINES, IOWA, *September 6, 1900.*HON. W. A. JONES, *Commissioner Indian Affairs:*

Parties are trying to make their showing on copper property in Kean district full and complete. To do this they will need fifteen days more time. Please wire E. S. Clark, Flagstaff, Ariz., extending time for answer fifteen days. Answer me at Oskaloosa, Iowa, to make full showing. Delay was unavoidable. Distance from railway takes time.

JNO. F. LACEY.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., September 6, 1900.

HON. JOHN F. LACEY, *Oskaloosa, Iowa:*

Referring to your telegram 6th instant, have this day sent following telegram to Clark, Flagstaff, Ariz.:

"By direction Secretary Interior fifteen days extension from August 30 allowed parties you represent to establish their right to be upon Navajo Reservation, but must keep off until such right has been established to agent's satisfaction."

A. C. TONNER, *Acting Commissioner.*

[Telegram.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., September 6, 1900.

E. S. CLARK, *Flagstaff, Ariz.:*

By direction Secretary Interior fifteen days' extension from August 30 allowed parties you represent to establish their right to be upon Navajo Reservation; but must keep off until such right has been established to agent's satisfaction.

A. C. TONNER, *Acting Commissioner.*

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., September 10, 1900.

SIR: I have the honor to acknowledge the receipt by your reference for a report in duplicate of a communication from Mr. A. Johnson, asking to be permitted to proceed with the assessment work upon his claims within the Navajo Indian Reservation.

You ask to be advised "of the status of the within-named mining claims, and whether as to them the claimant has complied with the requirements of the laws of the United States relating to such claims."

The claims referred to appear to be within the limits of the Navajo Indian Reservation, and were located prior to the creation of the reservation by President Arthur, May 17, 1884, which provided "that any tract or tracts within the region of country described as aforesaid, which are settled upon or occupied or to which valid rights have attached under existing laws of the United States prior to the date of this order are hereby excluded from this reservation."

This matter was made the subject of reports to you, dated April 27 and May 18, 1900. As stated in said letter of April 27, 1900, "This office has no record of the claims referred to in the correspondence submitted, the land being entirely unsurveyed and the notices of location being filed with the recorder of the mining district or with the county records."

The claims have, therefore, no status in this office, nor is it necessary to their validity. One who locates a mining claim and properly maintains it has acquired vested rights therein. It is only when he seeks to secure the naked title of the Government that the Department has knowledge of the existence of such claim, and the action then taken relates solely to right to a Government patent.

The question whether a mining claim held under the possessory clause of the statute is properly maintained by the performance of the requisite annual work, is one solely for the courts and not for the Land Department. (*Barklage v. Russell*, 29 L. D., 401.)

This office has therefore no means of determining whether the claimant "has complied with the requirements of the laws of the United States relating to such claims."

In my letter of May 18, 1900, I adhered to my opinion that the lands included in mining claims were as completely segregated from said reservation as if they had been described in the proclamation; that their validity was dependent upon the performance of the annual assessment work; that if the work had not been performed for several years, but was resumed before relocation by other parties, the claim would, under the decision of the courts, still be valid as abandonment was not forfeiture, and that no action to prove forfeiture having been taken, "mineral claimants who can show a right by location or transfer to claims located prior to the reservation should be permitted to resume work upon such claims."

The papers submitted with a copy of this report are inclosed.

Very respectfully,

W. A. RICHARDS, *Acting Commissioner*.

THE SECRETARY OF THE INTERIOR.

[Telegram.]

FLAGSTAFF, ARIZ.,
September 12, 1900.

HON. WILLIAM MCKINLEY, *Washington, D. C.*:

Please withhold any action concerning copper properties on Navajo Indian Reservation pending presentation this month of facts. Such course will prevent injustice. Refer to General Manager Nerin, Santa Fe system, Los Angeles, and Aldace F. Walker, New York.

EDMOND BURKE.

[Telegram.]

OSKALOOSA, IOWA, September 12, 1900.

HON. W. A. JONES, *Indian Commissioner*:

Arizona parties need about week further extension. Original time expired 6th, extended to 14th. Please wire Clark, giving week longer.

JOHN F. LACEY.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
September 13, 1900.

HON. JOHN F. LACEY, *Oskaloosa, Iowa*:

Referring your telegram 12th instant, Secretary Interior desires to know whether parties are now on Navajo Reservation; and if so, by what authority and for what purpose.

A. C. TONNER, *Acting Commissioner*.

[Telegram.]

OSKALOOSA, IOWA, September 14, 1900.

HON. A. C. TONNER,

Acting Indian Commissioner:

Don't know whether anyone on reservation or not. They ask in good faith till next Monday to mail showing which will give information asked for. Request is reasonable, and Keam's objection ought not prevent giving these parties reasonable time.

JOHN F. LACEY.

[Telegram.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., September 14, 1900.

HON. JOHN F. LACEY, *Oskaloosa, Iowa:*

Have this day wired Clark, Flagstaff, extending time to Monday next, September 17. Keam has made no objection and has nothing whatever to do with the matter.

A. C. TONNER, *Acting Commissioner.*

[Telegram.]

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, D. C., September 14, 1900.

E. S. CLARK, *Flagstaff, Ariz.:*

By direction Secretary Interior extension of time granted parties you represent, to establish right to be on Navaho Reservation, in telegram to you dated September 6, is hereby further extended to Monday next, September 17.

A. C. TONNER, *Acting Commissioner.*

[Telegram.]

OSKALOOSA, IOWA, September 14, 1900.

HON. A. C. TONNER,
Acting Commissioner Indian Affairs:

Since writing you this morning I learn that none of the parties are on the reservation. Please answer.

JOHN F. LACEY.

[Telegram.]

FLAGSTAFF, ARIZ., September 18, 1900.

A. C. TONNER,
Acting Commissioner Indian Affairs, Washington, D. C.:

Delivered papers showing rights in mining district Navaho Reservation to Agent Hayzlett personally to-day.

E. S. CLARK.

NAVAHO AGENCY,
Fort Defiance, Ariz., September 22, 1900.

SIR: I have the honor to herewith transmit the following notices of location of mining claims, viz:

Name.	Located by—	Recorded.
The Eli	William Hicklin	July 28, 1900
The Fire Place	J. W. Francis	Sept. 10, 1900
The Francis	E. M. Tackett and J. W. Francis	July 28, 1900
The Lenone	J. W. Francis and J. W. Wright	Do.
The Little Dick	Wm. Hicklin	Do.
The Hare Bell	E. M. Tackett and J. W. Francis	Do.
The Maude	J. W. Francis and E. M. Tackett	July 26, 1900
The Mountain View	J. W. Francis	July 28, 1900
The Nebecker	J. W. Francis and E. M. Tackett	July 26, 1900
The Nellie M	do.	Do.
The Tubs	E. M. Tackett and J. W. Francis	July 28, 1900
The Blue Gown	Thomas V. Keam	June 7, 1900
The Nar Su See	do.	Do.
The Paish Le Chee	do.	Do.
The Tom Keam	do.	Do.

Name.	Located by—	Recorded.
The Berlin	Jno. H. McCooley and J. D. Murphy	Jan. 10, 1893
The Dublin	do	Do.
The Jimmy	do	Do.
The London	do	Do.
The May	do	Do.
The Mollie	do	Do.
The New York	do	Do.
Our Jack	do	Do.
The Paris	do	Do.
The Antelope	R. Campbell, A. Levy, and E. T. Packwood	Apr. 28, 1884.
The Bonny Dundee	T. V. Keam, A. M. Stephen, and T. A. McElmell	Feb. 5, 1883.
The Buckeye	R. Campbell, A. Levy, and E. T. Packwood	Apr. 28, 1884.
The Blue Grass	J. H. Wilson, J. W. Boehm, and J. N. Stewart	Feb. 5, 1883.
The Butte Valley	T. V. Keam, A. M. Stephen, T. A. McElmell, and F. F. Hunt.	Do.
The Blue Gown	T. V. Keam, D. M. Riordan, T. A. McElmell, and A. M. Stephen.	Sept. 28, 1882.
The Climax	A. Johnson, Wm. Groen, V. E. Neff, J. R. Wakeline, N. G. Jirard, Wm. Gousher and A. Dean.	May 16, 1884.
The Copper Glane	T. V. Keam, A. M. Stephen, F. F. Hunt, and A. J. Johnson..	Feb. 5, 1883.
The Copper World	Frank R. Carter, W. R. Fales, and J. N. Stewart	Do.
The Copper Opatis	R. Campbell, A. Levy, and E. T. Packwood	Apr. 28, 1889.
The Copper Reef	T. V. Keam, A. M. Stephen, and T. A. McElmell	Feb. 5, 1883.
The Christmas	T. V. Keam, T. A. McElmell, A. M. Stephen, and F. F. Hunt.	Do.
The Dark Horse	A. M. Stephen and T. V. Keam, T. A. McElmell and A. J. Johnson.	Do.
The Durango	A. Johnson, Wm. Groen, V. E. Neff, J. R. Wakelin, N. G. Jirard, Wm. Gousher, and A. Dean.	May 16, 1884.
The Gopher	R. Campbell, A. Levy, and E. T. Packwood	Apr. 28, 1884
The Gray Horse	J. N. Stewart, J. H. Wilson, J. W. Boehm, and W. R. Fales.	Feb. 5, 1883
The Happy New Year	F. R. Carter, J. N. Stewart, J. W. Boehm, and Jas. Seward ..	Do.
The Iron World	J. H. Wilson, Jas. Seward, J. W. Boehm, and J. N. Stewart..	Feb. 6, 1883
The Iron Mountain	T. V. Keam, A. M. Stephen, and T. A. McElmell	Feb. 5, 1883
The Iron Valley	do	Do.
The La Plata	A. Johnson, Wm. Groen, V. E. Neff, J. R. Wakelin, N. G. Jirard, Wm. Gousher, and A. Dean.	May 16, 1884
The Nar Su See	T. V. Keam, A. J. Johnson, A. M. Stephen, and T. A. McElmell.	Feb. 5, 1883
The Nester	T. V. Keam, A. N. Stephen, T. A. McElmell, and D. M. Riordan.	Sept. 28, 1882
The Old Abe	R. Campbell, A. Levy, and E. T. Packwood	Apr. 28, 1884
The Pinte	T. V. Keam, A. M. Stephens, and E. T. Packwood	Feb. 5, 1883
The Paish La Chee	T. V. Keam, A. M. Stephens, T. A. McElmell, and D. M. Riordan.	Sept. 28, 1882
The Sunday	R. Campbell, A. Levy, and E. T. Packwood	Apr. 28, 1884
The San Juan	A. Johnson, Wm. Groen, V. E. Neff, J. R. Wakelin, N. G. Jirard, William Grousher, and A. Dean.	May 16, 1884.
The Twelve Apostles	T. V. Keam, T. A. McElmell, D. M. Riordan, and A. M. Stephen.	Sept. 28, 1882.
The Tom Keam	T. A. McElmell, A. M. Stephen, and T. V. Keam	Feb. 5, 1883.
The Tubal Cain	T. A. McElmell, A. M. Stephen, and T. V. Keam	Do.
The Victor	A. Johnson, Wm. Groen, V. E. Neff, J. R. Wakelin, N. G. Jirard, Wm. Gousher, and A. Dean.	May 16, 1884.

I also inclose affidavit of J. J. Davis, I. L. Foutz, J. W. Francis, Ashton Nebeker, J. B. Tanner, Jas. B. Tanner, E. M. Tackett, W. H. Thompson, George Wallace, J. W. Wright.

I also forward communication to honorable Secretary of the Interior, signed by the 14 persons, by E. S. Clark, attorney.

Also Exhibit A, referring to notice served, etc. I also forward by same mail under separate cover a blue print purporting to be a plat of the said mining district.

Very respectfully,

G. W. HAYZLETT,
United States Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Eli mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase

by William Hicklin, a citizen of the United States, the undersigned, on the 3d day of May, 1900.

The length of this claim is 1,500 feet, and I claim 1,000 feet in a northerly direction and 500 feet in a southerly direction from the centre of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds on each side of the centre of said claim. The general course of the lode deposit and premises is from the north to the south.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 1,200 yards in a northwesterly direction from an old fort, and 40 miles from Tuba City.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at stone monument at a point in a northerly direction 1,000 feet from the discovery shaft (at which this notice is posted), being in the centre of the north end line of said claim; thence east 300 feet to a stone monument, being the northeast corner of said claim; thence south 750 feet to a stone monument at the centre of the east side line of said claim; thence south 750 feet to a stone monument, being at the southeast corner of said claim; thence west 300 feet to a stone monument at the centre of the south end of said claim; thence west 300 feet to a stone monument being at the southwest corner of said claim; thence north 750 feet to a stone monument being at the centre of the west side line of said claim; thence north 750 feet to a stone monument at the northwest corner of said claim; thence 300 feet to the place of beginning.

All done under the provisions of chapter six of Title XXXII of the Revised Statutes of the United States, and of an act of the general assembly of Arizona entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 3d day of May, 1900.

WM. HICKLIN.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the "Eli" mining claim recorded in my said office in book 2 of Mines, page 491, records of Coconino County.

Witness my hand and official seal this 17th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,

County Recorder, Coconino County, Ariz.,

By H. C. HIBBEN, Deputy.

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Fire Place mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase by J. W. Francis, citizen of the United States, the undersigned, on the 18 day of August, 1900.

The length of this claim is 1,500 feet, and I claim 750 feet in a northerly direction and 750 feet in a southerly direction from the centre of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds, on each side of the centre of said claim. The general course of the lode deposit and premises is from the north to the south.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 40 miles NNW. in a direction from Moen Kopi and 30 milés SSW. from Navajo Mountain.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at stone monument at a point in a southerly direction 750 feet from the discovery shaft (at which this notice is posted), being in the center of the south-end line of said claim; thence west 300 feet to a stone monument, being the southwest corner of said claim; thence north 750 feet to a stone monument at the centre of the west-side line of said claim; thence north 750 feet to a stone monument, being at the northwest corner of said claim; thence east 300 feet to a stone monument at the centre of the north end of said claim, thence east 300 feet to a stone monument, being at the northeast corner of said claim; thence south 750 feet to a stone monument being at the centre of the east-side line of said claim; thence south 750 feet to a stone monument at the southeast corner of said claim; thence west 300 feet to the place of beginning.

All done under the provisions of chapter six, of Title XXXII, of the Revised Statutes of the United States, and of an act of the general assembly of Arizona, entitled "An act concerning mines," approved March 20, 1895, and amended March 2, 1899.

Dated and posted on the ground this 18th day of August, 1900.

J. W. FRANCIS.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Fire Place mining claim, filed for record in my said office on Sept. 10, 1900, at 9 a. m., together with all endorsements thereon.

Witness my hand and official seal this 15th day of September, A. D. 1900.

T. E. PULLIAM,

County Recorder, Coconino County, Arizona.

By H. C. HIBBEN, *Deputy.*

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Francis mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase by E. M. Tackett and J. W. Francis, citizens of the United States, the undersigned, on the 28th day of April, 1900.

The length of this claim is 1,500 feet, and we claim 750 feet in a northerly direction and 750 feet in a southerly direction from the centre of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds on each side of the centre of said claim. The general course of the lode deposit and premises is from the north to the south.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 40 miles in a northerly direction from Tuba City, Ariz.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at a monument of stone at a point in a northerly direction 750 feet from the discovery shaft (at which this notice is posted), being in the centre of the northerly end line of said claim; thence easterly 300 feet to a monument of stone, being the northeasterly corner of said claim; thence southerly 750 feet to a monument of stone at the centre of the easterly side line of said claim; thence southerly 750 feet to a monument of stone, being at the southeasterly corner of said claim; thence westerly 300 feet to a monument of stone at the centre of the southerly end of said claim; thence westerly 300 feet to a monument of stone, being at the southwesterly corner of said claim; thence northerly 750 feet to a monument of stone, being at the centre of the westerly side line of said claim; thence northerly 750 feet to a monument of stone at the northwesterly corner of said claim; thence easterly 300 feet to the place of beginning.

All done under the provisions of chapter six of Title XXXII of the Revised Statutes of the United States, and of an act of the general assembly of Arizona entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 28th day of April, 1900.

E. M. TACKETT.

J. W. FRANCIS.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Francis mining claim, recorded in my said office in Book 2 of Mines, page 508, on July 28, 1900, together with all endorsements thereon.

Witness my hand and official seal this 13th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,

County Recorder Coconino County, Ariz.

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Hare Bell mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase by E. M. Tackett and J. W. Francis, citizens of the United States, the undersigned, on the 28th day of April, 1900.

The length of this claim is 1,500 feet, and we claim 750 feet in an easterly direction and 750 feet in a westerly direction from the centre of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds, on each side of the centre of said claim. The general course of the lode deposit and premises is from the east to the west.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 40 miles in a northerly direction from Tuba City, Arizona, and about 4½ miles easterly from an old Indian fort.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at a monument of stone at a point in an easterly direction 750 feet from the discovery shaft (at which this notice is posted), being in the centre of the easterly end line of said claim; thence southerly 300 feet to a monument of stone, being the southeasterly corner of said claim; thence westerly 750 feet to a monument of stone at the centre of the southerly side line of said claim; thence westerly 750 feet to a monument of stone, being at the southwesterly corner of said claim; thence northerly 300 feet to a monument of stone at the centre of the westerly end of said claim; thence northerly 300 feet to a monument of stone, being at the northwesterly corner of said claim; thence easterly 750 feet to a monument of stone, being at the centre of the northerly side line of said claim; thence easterly 750 feet to a monument of stone at the northeasterly corner of said claim; thence southerly 300 feet to the place of beginning.

All done under the provisions of chapter six, of Title XXXII, of the Revised Statutes of the United States, and of an act of the general assembly of Arizona entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 28th day of April, 1900.

E. M. TACKETT.
J. W. FRANCIS.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Hare Bell mining claim, recorded in my said office in book 2 of Mines, page 506, on July 28, 1900, together with all indorsements thereon.

Witness my hand and official seal this 13th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Lenore mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase by J. W. Francis and J. W. Wright, citizens of the United States, the undersigned, on the 30th day of April, 1900.

The length of this claim is 1,500 feet, and we claim 750 feet in a northwesterly direction and 750 feet in a southeasterly direction from the centre of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds on each side of the centre of said claim. The general course of the lode deposit and premises is from the northwest to the southeast.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 40 miles in a northerly direction from Tuba City, Ariz., and about one mile easterly from an old Indian fort.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at a monument of stone at a point in a northwesterly direction, 750 feet from the discovery shaft (at which this notice is posted), being in the centre of the northwesterly end line of said claim; thence northeasterly 300 ft. to a monument of stone, being the northeasterly corner of said claim; thence southeasterly 750 ft. to a monument of stone at the centre of the northeasterly side line of said claim; thence southeasterly 750 feet to a monument of stone, being at the southeasterly corner of said claim; thence southwesterly 300 feet to a monument of stone at the centre of the southeasterly end of said claim; thence southwesterly 300 feet to a monument of stone, being at the southwesterly corner of said claim; thence northwesterly 750 feet to a monument of stone at the northwesterly corner of said claim; thence northeasterly 300 feet to the place of beginning.

All done under the provisions of chapter six, of Title XXXII, of the Revised Statutes of the United States, and of an act of the general assembly of Arizona entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 30th day of April, 1900.

J. W. FRANCIS.

J. W. WRIGHT.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Lenore mining claim, recorded in my said office in book 2 of Mines, page 510, July 28, 1900, together with all indorsements thereon.

Witness my hand and official seal this 13th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,

County Recorder, Coconino County, Ariz.

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Little Dick mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase by William Hicklin, a citizen of the United States, the undersigned, on the 3rd day of May, 1900.

The length of this claim is 1,500 feet, and I claim 1,000 feet in a northerly direction and 500 feet in a southerly direction from the centre of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds on each side of the centre of said claim. The general course of the lode deposit and premises is from the north to the south.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 1,000 yards in a northerly direction from an old fort and 40 miles from Tuba City.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at a stone monument, at a point in a northerly direction, 1,000 feet from the discovery shaft (at which this notice is posted), being in the centre of the north end line of said claim, thence east 300 feet to a stone monument, being the northeast corner of said claim; thence south 750 feet to a stone monument at the centre of the east side line of said claim; thence south 650 feet to a stone monument, being at the southeast corner of said claim; thence west 750 feet to a stone monument at the centre of the south end of said claim; thence west 300 feet to a stone monument, being at the southwest corner of said claim; thence north 750 feet to a stone monument being at the centre of the west side line of said claim; thence north 750 feet to a stone monument at the northwest corner of said claim; thence east 300 feet to the place of beginning.

All done under the provisions of chapter six of Title XXXII of the Revised Statutes of the United States, and of an act of the general assembly of Arizona

entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 3d day of May, 1900.

WM. HICKLIN.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing notice of location is a true, literal, and exact copy of the notice of location of the Little Dick mining claim recorded in my said office in book 2 of Mines, page 494.

Witness my hand and official seal this 17th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.,
By H. C. HIBBEN,
Deputy.

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Maude mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase by J. W. Francis and E. M. Tackett, citizens of the United States, the undersigned, on the 28th day of April, 1900.

The length of this claim is 1,500 feet, and we claim 750 feet in an easterly direction and 750 feet in a westerly direction from the centre of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds on each side of the centre of said claim. The general course of the lode deposit and premises is from the east to the west.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 40 miles north, in a northerly direction from Tuba City, Ariz., and about $3\frac{1}{2}$ miles east of an old Indian fort.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at a monument of stone at a point in an easterly direction, 750 feet from the discovery shaft (at which this notice is posted), being in the centre of the easterly end line of said claim; thence northerly 300 feet to a monument of stone, being the northeasterly cor. of said claim; thence westerly 750 feet to a monument of stone, at the centre of the northerly side line of said claim; thence westerly 750 feet to a monument of stone, being at the northwesterly corner of said claim; thence southerly 300 feet to a monument of stone at the centre of the westerly end of said claim; thence southerly 300 feet to a monument of stone, being at the southwesterly corner of said claim; thence easterly 750 feet to a monument of stone, being at the centre of the southerly side line of said claim; thence easterly 750 feet to a monument of stone at the southeasterly corner of said claim; thence northerly 300 feet to the place of beginning.

All done under the provisions of chapter six of Title XXXII of the Revised Statutes of the United States, and of an act of the general assembly of Arizona entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899:

Dated and posted on the ground this 28th day of April, 1900.

J. W. FRANCIS.
E. M. TACKETT.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing notice of location is a true, literal, and exact copy of the location notice of the Maude mining claim, as the same appears of record in book 2 of Mines, page 501, records of my said office, with all endorsements thereon.

Witness my hand and official seal this 17th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.,
By H. C. HIBBEN,
Deputy.

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Mountain View mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase by J. W. Francis, a citizen of the United States, the undersigned, on the 28th day of April, 1900.

The length of this claim is 1,500 feet, and I claim 1,200 feet in a southwesterly direction and 300 feet in a northeasterly direction from the centre of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds on each side of the centre of said claim. The general course of the lode deposit and premises is from the southwest to the northeast.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 40 miles in a northerly direction from Tuba City, Arizona, and about $1\frac{1}{2}$ miles southeasterly from an old Indian fort.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at a monument of stone at a point in a northeasterly direction 300 feet from the discovery shaft (at which this notice is posted), being in the centre of the northeasterly end line of said claim; thence northwesterly 300 feet to a monument of stone, being the northwesterly corner of said claim; thence southeasterly 750 feet to a monument of stone at the centre of the northwesterly side line of said claim; thence southwesterly 750 feet to a monument of stone, being at the southwesterly corner of said claim; thence southeasterly 300 feet to a monument of stone at the centre of the southwesterly end of said claim; thence southeasterly 300 feet to a monument of stone, being at the southeasterly corner of said claim; thence northeasterly 750 feet to a monument of stone, being at the centre of the southeasterly side line of said claim; thence northeasterly 750 feet to a monument of stone at the northeasterly corner of said claim; thence northwesterly 300 feet to the place of beginning.

All done under the provisions of chapter six, of Title XXXII, of the Revised Statutes of the United States, and of an act of the general assembly of Arizona entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 28th day of April, 1900.

J. W. FRANCIS.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Mountain View mining claim, recorded in book 2 of Mines, page 509, of the records of my said office, July 28, 1900, together with all indorsements thereon.

Witness my hand and official seal this 13th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Nebeker mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase by J. W. Francis and E. M. Tackett, citizens of the United States, the undersigned, on the 28th day of April, 1900.

The length of this claim is 1,500 feet, and we claim 750 feet in an easterly direction and 750 feet in a westerly direction from the centre of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds on each side of the centre of said claim. The general course of the lode deposit and premises is from the east to the west.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 40 miles in a northerly direction from Tuba City, Arizona; and about $3\frac{1}{2}$ miles.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at a monument of stone at a point in an easterly direction 750 feet from the discovery shaft (at which this notice is posted), being in the centre of the easterly end line of said claim; thence northerly 300 feet to a monument of stone, being the northeasterly corner of said claim; thence westerly 750 feet to a monument of stone at the centre of the northerly side line of said claim; thence westerly 750 feet to a monument of stone, being at the northwesterly corner of said claim, thence southerly 300 feet to a monument of stone at the centre of the westerly end of said claim; thence southerly 300 feet to a monument of stone, being at the southwesterly corner of said claim; thence easterly 750 feet to a monument of stone, being at the centre of the southerly side line of said claim; thence easterly 750 feet to a monument of stone at the southeasterly corner of said claim; thence northerly 300 feet to the place of beginning.

All done under the provisions of Chapter Six, of Title XXXII, of the Revised Statutes of the United States, and of an act of the general assembly of Arizona, entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 28th day of April, 1900.

J. W. FRANCIS.

E. M. TACKETT.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid and custodian of the records of said office, do hereby certify that the within and foregoing notice of location is a true, literal, and exact copy of the location notice of the "Nebeker" mining claim as the same appears of record in my said office in Book 2 of Mines, page 503, records of my said office.

Witness my hand and official seal this 17th day of September, A. D. 1900.

T. E. PULLIAM,

County Recorder, Coconino County, Arizona.

By H. C. HIBBEN, *Deputy.*

[SEAL.]

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Nellie M. mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase by J. W. Francis and E. M. Tackett, citizens of the United States, the undersigned, on the 28th day of April, 1900.

The length of this claim is 1,500 feet, and we claim 750 feet in an easterly direction and 750 feet in a westerly direction from the centre of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds, on each side of the centre of said claim. The general course of the lode deposit and premises is from the east to the west.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 40 miles in a northerly direction from Tuba City, Arizona, and about $3\frac{1}{2}$ miles.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at a monument of stone at a point in an easterly direction 750 feet from the discovery shaft (at which this notice is posted), being in the centre of the easterly end line of said claim; thence northerly 300 feet to a monument of stone, being the northeasterly corner of said claim; thence westerly 750 feet to a monument of stone at the centre of the northerly side line of said claim; thence westerly 750 feet to a monument of stone, being at the northwesterly corner of said claim; thence southerly 300 feet to monument of stone at the centre of the westerly end of said claim; thence southerly 300 feet to a monument of stone, being at the southwesterly corner of said claim; thence easterly 750 feet to a monument of stone, being at the centre of the southerly side line of said claim; thence easterly 750 feet to a monument of stone at the southeasterly corner of said claim; thence northerly 300 feet to the place of beginning.

All done under the provisions of chapter six, of Title XXXII, of the Revised Statutes of the United States and of an act of the general assembly of Arizona, entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 28th day of April, 1900.

J. W. FRANCIS.
E. M. TACKETT.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid and custodian of the records of said office, do hereby certify that the within and foregoing notice of location is a true, literal, and exact copy of the location notice of the Nellie M. mining claim as the same appears of record in my said office, in Book 2 of Mines, page 502, records of my said office.

Witness my hand and official seal this 17th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.
By H. C. HIBBEN, *Deputy.*

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Nar-Sus-See mining claim, situated on lands belonging to the United States of America, and in which there are valuable mineral deposits, was relocated for the purpose of exploration and purchased by Thomas V. Keam, a citizen of the United States, the undersigned, on the 24th day of May, 1900.

The length of this claim is fifteen hundred feet, and I claim seven hundred and fifty feet in a easterly direction, and seven hundred & fifty feet in a westerly direction from the center of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with three hundred feet in width of the surface grounds, on each side of the center of said claim. The general course of the lode deposit and premises is from the west to the east.

The claim is situated and located in the Butte Valley mining district, in Coconino County, in the Territory of Arizona, about forty miles in a northwest direction from Moen Kopi and about forty miles S. S. west from Navajo Mountain.

The surface boundaries of the claim are marked upon the ground as follow: Beginning at stake in the valley situated at a point in a northwesterly direction seven hundred and fifty feet from the discovery shaft (at which this notice is posted), being in the center of the northwest end line of said claim; thence three hundred feet to a stake, being the northwest corner of said claim; thence seven hundred and fifty feet to a stake at the center of the north side line of said claim; thence seven hundred and fifty feet to a stake, being at the northeast corner of said claim; thence three hundred feet to a stake at the center of the east end of said claim; thence three hundred feet to a stake, being at the southeast corner of said claim; thence seven hundred and fifty feet to a stake, being at the center of the south side line of said claim; thence seven hundred and fifty feet to a stake at the southwest corner of said claim; thence three hundred feet to the place of beginning.

All done under the provisions of chapter six, of Title XXXII, of the Revised Statutes of the United States, and of an act of the general assembly of Arizona, entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 24th day of May, 1900.

Witnesses:

U. W. CRAIG.
I. L. ALLEN.

THOMAS V. KEAM.

NOTICE.—The original filing on this claim was made by myself and others at Prescott, Ariz., on the 5th day of February, 1883, and this refiling is made without prejudice to my previous filing.

THOMAS V. KEAM.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal and exact copy of the location notice of the Nar-Sus-See mining claim, recorded in my said office in book 2 of Mines, page 465, on June 7, 1900, together with all indorsements thereon.

Witness my hand and official seal, this 13th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Tom Keam mining claim, situated on lands belonging to the United States of America, and in which there are valuable mineral deposits, was relocated for the purpose of exploration and purchase by Thomas V. Keam, a citizen of the United States, the undersigned, on the 23d day of May, 1900.

The length of this claim is fifteen hundred feet, and I claim seven hundred and fifty feet in an easterly direction, and seven hundred and fifty feet in a westerly direction from the center of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with three hundred feet in width of the surface grounds, on each side of the center of said claim. The general course of the lode deposit and premises is from the west to the east.

The claim is situated and located in the Butte Valley mining district, in Coconino County, in the Territory of Arizona, about forty miles in a northwest direction from Moen Kopi and about forty miles S. S. west from Navajo Mountain.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at a stake in the valley, situated at a point in a northwesterly direction seven hundred and fifty feet from the discovery shaft (at which this notice is posted), being in the center of the northwest end line of said claim; thence three hundred feet to a stake, being the northwest corner of said claim; thence seven hundred and fifty feet to a stake at the center of the north side line of said claim; thence seven hundred and fifty feet to a stake, being at the northeast corner of said claim; thence three hundred feet to a stake at the center of the east end of said claim; thence three hundred feet to a stake, being at the southeast corner of said claim; thence seven hundred and fifty feet to a stake, being at the center of the south side line of said claim; thence seven hundred and fifty feet to a stake at the southwest corner of said claim; thence three hundred feet to the place of beginning.

All done under the provisions of chapter six, of Title XXXII, of the Revised Statutes of the United States, and of an act of the general assembly of Arizona, entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 23rd day of May, 1900.

THOMAS V. KEAM.

Witnesses:

U. W. CRAIG.

I. L. ALLEN.

NOTICE.—The original filing on this claim was made by myself and others at Prescott, Ariz., on the 5th day of February, 1883, and this refiling is made without prejudice to my previous filing.

THOMAS V. KEAM.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Tom Keam mining claim, recorded in my said office in book 2 of mines, page 467, on June 7, 1900, together with all indorsements thereon.

Witness my hand and official seal this 13th day of September, A. D., 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.

Notice of mining location.

LODE CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Pais-le-chec mining claim, situated on lands belonging to the United States of America, and in which there are valuable mineral deposits, was relocated for the purpose of exploration and purchase by Thomas V. Keam, a citizen of the United States, the undersigned, on the 24 day of May, 1900.

The length of this claim is fifteen feet, and I claim seven hundred and fifty feet in an easterly direction, and seven hundred and fifty feet in a westerly direction from the center of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with three hundred feet in width of the surface grounds, on each side of the center of said claim. The general course of the lode deposit and premises is from the west to the east.

The claim is situated and located in the Butte Valley mining district, in Coconino County, in the Territory of Arizona, about forty miles in a northwest direction from Moen Kopi, and about forty miles S. west from Navajo Mountain.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at stake near the end of butte situated at a point in a northwesterly direction, seven hundred and fifty feet from the discovery shaft (at which this notice is posted), being in the center of the northwest end line of said claim; thence three hundred feet to a stake, being the northwest corner of said claim; thence seven hundred and fifty feet to a stake at the center of the north side line of said claim; thence seven hundred and fifty feet to a stake, being at the northeast corner of said claim; thence three hundred feet to a stake at the center of the east end of said claim; thence three hundred feet to a stake being at the southeast corner of said claim; thence seven hundred and fifty feet to a stake being at the center of the south side line of said claim; thence seven hundred and fifty feet to a stake at the southwest corner of said claim; thence three hundred feet to the place of beginning.

All done under the provisions of chapter six, of Title XXXII, of the Revised Statutes of the United States, and of an act of the general assembly of Arizona entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 24th day of May, 1900.

THOMAS V. KEAM.

Witnesses:

U. W. CRAIG.

I. L. ALLEN.

NOTICE.—The original filing on this claim was made by myself and others at Prescott, Ariz., on the 5th day of February, 1883, and this refiling is made without prejudice to my previous filing.

THOMAS V. KEAM.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Pais-le-chec mining claim, recorded in my said office in book 2 of mines, page 466, on June 7, 1900, together with all indorsements thereon.

Witness my hand and official seal this 13th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,

County Recorder, Coconino County, Ariz.

Notice of mining location.

QUARTZ CLAIM.

To all whom it might concern:

This mining claim, the name of which is the Tuba mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was entered upon and located for the purpose of exploration and purchase by E. M. Tackett and J. W. Francis, citizens of the United States, the undersigned, on the 28th day of April, 1900.

The length of this claim is 1,500 feet, and we claim 1,200 feet in a southwesterly direction and 300 feet in a northwesterly direction from the center of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with 300 feet in width of the surface grounds on each side of the center of said claim. The general course of the lode deposit and premises is from the southwest to the northeast.

The claim is situated and located in the White Mesa mining district, in Coconino County, in the Territory of Arizona, about 40 miles in a northerly direction from Tuba City, Ariz., and about 1½ miles from an old Indian fort.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at a monument of stone at a point in a northeasterly direction 300 feet from the discovery shaft (at which this notice is posted), being in the center of the northeasterly end of said claim; thence northwesterly 300 feet to a monument of stone, being the northwesterly corner of said claim; thence southwesterly 750 feet to a monument of stone at the center of the northwesterly side line of said claim; thence southwesterly 750 feet to a monument of stone, being at the southwesterly corner of said claim; thence southeasterly 300 feet to a monument of stone at the center of the southwesterly end of said claim; thence southeasterly 300 feet to a monument of stone, being at the southeasterly corner of said claim; thence northeasterly 750 feet to a monument of stone, being at the center of the southeasterly side line of said claim; thence northeasterly 750 feet to a monument of stone at the northeasterly corner of said claim; thence northwesterly 300 feet to the place of beginning.

All done under the provisions of chapter six of Title XXXII of the Revised Statutes of the United States and of an act of the general assembly of Arizona, entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 28th day of April, 1900.

E. M. TACKETT.
J. W. FRANCIS.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Tuba mining claim, recorded in my said office in book 2 of Mines, page 507, on July 28, 1900, together with all indorsements thereon.

Witness my hand and official seal this 13th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.

Notice of mining location.

QUARTZ CLAIM.

To all whom it may concern:

This mining claim, the name of which is the Blue Gown mining claim, situate on lands belonging to the United States of America, and in which there are valuable mineral deposits, was relocated for the purpose of exploration and purchase by Thomas V. Keam, a citizen of the United States, the undersigned, on the 24th day of May, 1900.

The length of this claim is fifteen hundred feet, and I claim seven hundred and fifty feet in an easterly direction, and seven hundred and fifty feet in a westerly direction from the center of the discovery shaft, at which this notice is posted, lengthwise of the claim, together with three hundred feet in width of the surface grounds, on each side of the center of said claim. The general course of the lode deposit and premises is from the N. West to the S. East.

The claim is situated and located in the Butte Valley mining district, in Coconino County, in the Territory of Arizona, about forty miles in a northwest direction from Moen Kopi, and about forty miles SSW. from Navajo Mountain.

The surface boundaries of the claim are marked upon the ground as follows: Beginning at stake near the hillside situated at a point in a northwesterly direction seven hundred and fifty feet from the discovery shaft (at which this notice is posted), being in the center of the northwest end line of said claim; thence three hundred feet to a stake, being the northwest corner of said claim; thence seven hundred and fifty feet to a stake at the center of the north side line of said claim; thence seven hundred

and fifty feet to a stake, being at the northeast corner of said claim; thence three hundred feet to a stake at the center of the east end of said claim; thence three hundred feet to a stake, being at the southeast corner of said claim; thence seven hundred and fifty feet to a stake, being at the center of the south side line of said claim; thence seven hundred and fifty feet to a stake at the southwest corner of said claim; thence three hundred feet to the place of beginning.

All done under the provisions of Chapter Six of Title XXXII of the Revised Statutes of the United States and of an act of the general assembly of Arizona, entitled "An act concerning mines," approved March 20th, 1895, and amended March 2, 1899.

Dated and posted on the ground this 24 day of May, 1900.

THOMAS V. KEAM.

Witnesses:

A. W. CRAIG.

I. L. ALLEN.

NOTICE.—The original filing on this claim was made by myself and others at Prescott, Ariz., on the 5th day of February, 1883, and this refiling is made without prejudice to my previous filing.

THOMAS V. KEAM.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Blue Gown mining claim, recorded in my said office in book 2 of mines, page 468, on June 7, 1900, together with all indorsements thereon.

Witness my hand and official seal this 13th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,

County Recorder, Coconino County, Ariz.

NOTICE OF LOCATION.

We, the undersigned, claim fifteen hundred (1,500) linear feet on this lode, vein, or deposit of rock in place, together with three hundred (300) feet on each side of the centre of claim for mining purposes.

Commencing at this, the initial and discovery monument, and running in a northerly course 750 feet, and from this monument in a southerly course 750 feet.

This claim is situated in Butte Valley mining district, Yavapai Co., A. T., about one mile west from the "Tom Keams" mining claim and about one mile east from the "Narcissa" mining claim, and shall be known as the "Antelope."

Dated on the ground this 20th day of March, 1884.

Locators:

R. CAMPBELL.

A. LEVY.

E. T. PACKWOOD.

Filed and recorded at request of R. Campbell, in Butte Valley mining district records, on page 24, March 20, 1884.

E. T. PACKWOOD, *Recorder.*

Filed and recorded at request of E. T. Packwood, April 28, A. D. 1884, at 2.20 o'clock p. m., in book 19 of Mines, pages 638 and 639, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Antelope mining claim as the same appears of record in book 19 of Mines, pages 638 and 639, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 15th day of August, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE.

COUNTY OF YAVAPAI, *Terr'y of Arizona*:

We, the undersigned citizens of the United States, claim 1,500 feet of this lode, vein, or deposit of rock in place, bearing precious minerals.

Commencing at this monument and running 1,100 feet northwesterly and 400 feet southeasterly, together with 300 feet on each side the centre of vein for mining purposes.

This claim is situate about 45 miles N. N. west of Moen Kopi, and 30 miles S. S. west from Navajo Mt. The nearest known claim is "The Piute," distant N. west $2\frac{1}{2}$ miles. This claim shall be known as "The Bonny Dundee."

Dated on the ground this 1st day of January, 1883.

Locators:

T. V. KEAM.
A. M. STEPHEN.
T. A. McELMELL.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of Mines, pages 338-339, records of Yavapai County, Ariz.

H. H. CARTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai ss.*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with and the same is a full, true, and correct copy of the notice of location of The Bonny Dundee mining claim as the same appears of record in book 16 of Mines, pages 338 and 339, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE OF LOCATION.

We, the undersigned, claim fifteen hundred (1,500) linear feet on this lode, vein, or deposit of rock in place bearing precious mineral, together with three hundred (300) feet on each side of the centre of said claim for mining purposes, and described as follows:

Commencing at this the initial and discovery monument and running in an easterly course eight hundred (800) feet, and from this monument in a westerly course seven hundred (700) feet.

This claim is situated in Butte Valley mining district, Yavapai Co., A. T., adjoins the "Gopher" mining claim on the north side, and runs parallel with it and adjoins the Copper World mining claim on the west end, and shall be known as the Buckeye.

Dated on the ground this 3rd day of April, 1884.

Locators:

R. CAMPBELL.
A. LEVY.
E. T. PACKWOOD.

Filed and recorded at request of R. Campbell in Butte Valley mining district records on page 31, April 3d, 1884.

E. T. PACKWOOD, *Recorder*.

Filed and recorded at request of E. T. Packwood, April 28, A. D. 1884, at 2.20 o'clock p. m., in book 19 of Mines, pages 636 and 637, records of Yavapai County, Ariz.

H. H. CARTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Buckeye mining claim, as the same appears of record in book 19 of Mines, pages 636 and 637, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 15th day of August, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE OF LOCATION.

YAVAPAI COUNTY, *Territory of Arizona*:

We, the undersigned citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place, bearing precious minerals, together with 300 feet on each side of the centre of vein for working purposes.

Commencing at this monument and running 900 feet northwest and 600 feet southeast.

This claim is situate about 45 miles N. N. West of Moen Kopi, and about 30 miles S. S. West of Navajo Mountain.

The nearest known claim is the Butte Valley lode, distant $\frac{1}{2}$ east.

This claim shall be known as the Blue Grass lode.

Dated on the ground this 1st day of January, 1883.

JAMES H. WILSON.
JOHN W. BOEHM.
JOHN N. STEWART.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of Mines, pages 348-349, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss*:

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Blue Grass mining claim, as the same appears of record in book 16 of Mines, page 348 and 349, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE.

YAVAPAI COUNTY, *Territory of Arizona*:

We, the undersigned citizens of the United States, claim 1,500 feet on this lode, vein, or deposit of rock in place bearing precious minerals.

Commencing at this monument and running 1,134 feet in a northerly direction and 366 feet in a southerly direction, together with 300 feet on each side of the centre of vein for working purposes.

This claim is situate about 45 miles northwest from Moen Kopi, and 35 miles S. S. West from Navajo Mountain.

The nearest known claim is the Bonny Dundee, distant southerly $\frac{1}{4}$ of a mile.

This claim shall be known as "The Butte Valley Mine."

Dated on the ground this 1st day of January, 1883.

Locators:

T. V. KEAM.
A. M. STEPHEN.
T. A. McELMELL.
F. F. HUNT.

Filed and recorded at request of A. M. Stephen February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of Mines, page 337, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai*:

I, W. I. Johnson, county recorder in and for said county in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Butte Valley mining claim as the same appears of record in book 16 of Mines, page 337, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE OF LOCATION.

We, the undersigned, citizens of the United States, claim 1,500 feet on this lead vein or deposit of rock in place bearing precious mineral.

Commencing at this monument and running 500 feet in an easterly direction and 1,000 feet in a westerly direction, together with 300 feet on each side of the centre of said vein, for mining purposes.

This claim is situated about 40 miles SSW. from Navajo Mt., and about 40 miles NNW. from Moen Kopi.

The nearest known claim is "The Twelve Apostles," bearing NW., distant one-half mile.

This claim shall be known as The Blue Gown.

Dated on the ground this 16th day of Sept., 1882.

T. V. KEAM.
T. A. McELMELL.
D. M. RIORDAN.
A. M. STEPHEN.

Filed and recorded at request of D. M. Riordan September 28, A. D. 1882, at 10.15 o'clock a. m., in book 15 of Mines, page 515, records of Yavapai County, Ariz.

WILLIAM WILKERSON, *County Recorder*,
By D. S. BECHTEL, *Deputy*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Blue Gown mining claim as the same appears of record in book 14 of Mines, page 515, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

County Yavapai, A. T.

NOTICE OF LOCATION OF THE CLIMAX LODE.

That we, the undersigned, having complied with the requirements of the Revised Statutes of the United States and local customs and regulations, have located fifteen hundred (1,500) linear feet on the Climax lode vein or deposit of rock in place bearing precious mineral, for mining purposes.

Commencing at location monument and running seven hundred and (750) feet in a northerly direction and seven hundred and fifty (750) feet in a southerly direction, together with three hundred (300) feet on each side centre of said vein. This claim is situated in Butte Valley mining district, Yavapai County, A. T., and described as follows:

Commencing at NW. corner stake No. 1, thence 600 feet to NE. corner stake No. 2, thence 750 feet to east side centre stake No. 3, thence 750 feet to SE. corner stake No. 4, thence 600 feet to SW. corner stake No. 5, thence 750 ft. to west side centre stake No. 6, thence 750 feet to NW. corner stake No. 1.

The nearest known claim is the Blue Gown, bearing NW. about 350 yards.

Discovered March 28, 1884.

Located April 2, 1884.

Locators:

A. JOHNSON ($\frac{1}{4}$).
WM. GROEN ($\frac{1}{4}$).
V. E. NEFF ($\frac{1}{4}$).
J. R. WAKELIN ($\frac{1}{16}$).
N. G. JARRARD ($\frac{1}{16}$).
WM. GOUSHER ($\frac{1}{16}$).
A. DEAN ($\frac{1}{16}$).

Located April 2, 1884.

Filed and recorded at request of A. Johnson in Butte Valley mining district records, page 32, April 3d, 1884.

E. T. PACKWOOD, *Recorder*.

Filed and recorded at request of N. J. Jarrard May 16, A. D. 1884, at 9 o'clock a. m., in book 20 of mines, pages 24, 25, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for the county of Yavapai, Territory of Arizona, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Climax mining claim as the same appears on the record in my office in book 20 of mines, pages 24, 25, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my seal this the 30th day of July, A. D. 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned, citizens of the United States, claim 1,500 feet on this lode, vein, or deposit of rock in place bearing precious minerals.

Commencing at this monument and running 300 feet in a southeasterly direction and 1,200 feet in a northwesterly direction, together with 300 feet on each side of centre of vein, for mining purposes.

This claim is situate about 45 miles NNW. from Moen Kopi and 30 miles SSW. from Navajo Mt.

The nearest claim is the Butte Valley, adjoining it on the southeast end.

This claim shall be known as "The Copper Glance" lode.

Dated on the ground this 2d day of January, 1883.

Locators:

T. V. KEAM.
A. M. STEPHEN.
F. F. HUNT.
A. J. JOHNSTON.

Filed and recorded at request of A. M. Stephen February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of mines, page 336, records of Yavapai County, Ariz.

H. H. CARTTER, *Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Copper Glance mining claim as the same appears of record in book 16 of mines, page 336, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE.

YAVAPAI COUNTY, *Arizona Terr'y:*

We, the undersigned citizens of the United States, claim 1,500 on this lead, vein, or deposit of rock in place bearing precious mineral.

Commencing at this monument and running 750 feet in a northerly direction and 750 feet in a southerly direction, together with 300 feet on each side the centre of said claim for mining purposes.

This claim is situate about 40 miles SSW. of Navajo Mountain and about 40 miles NNW. from Moen Kopi.

The nearest known claim is the 12 Apostles, bearing E. by N.. distant $\frac{3}{4}$ of a mile.

This claim shall be known as the Copper World.

Dated on the ground this 5th day of January, 1883.

FRANK R. CARTER.
W. R. FALES.
J. N. STEWART.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of Mines, page 347, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Copper World mining claim as the same appears of record in book 16 of Mines, page 347, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE OF LOCATION.

The undersigned claim fifteen hundred (1,500) linear feet on this lode, vein, or deposit of rock in place, bearing precious mineral, together with three hundred (300) feet on each side of the centre of said claim for mining purposes and described as follows:

Commencing at this, the initial and discovery monument, and running in a southerly course thirteen hundred and fifty (1,350) feet, and from this monument in a northerly course one hundred and fifty (150) feet.

This claim is situated in Butte Valley mining district, Yavapai Co., A. T., distant about one mile west from the Tom Keams mining claim and about one-half of one mile north from the Antelope mining claim, and shall be known as the "Copperopolis."

Dated on the ground this 2d day of April, 1884.

Locators:

R. CAMPBELL.

A. LEVY.

E. T. PACKWOOD.

Recorded at request of R. Campbell in Butte Valley mining district records on page 29.

E. T. PACKWOOD, *Recorder.*

APRIL 2, 1884.

Filed and recorded at request of E. T. Packwood, April 28, A. D. 1884, at 2.20 o'clock p. m., in book 19 of Mines, pages 639 and 640, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Copperopolis mining claim as the same appears of record in book 19 of Mines, pages 639 and 640, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 15th day of August, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned, citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place bearing precious mineral.

Commencing at this monument and running 750 feet southeasterly and 750 feet northwesterly, together with 300 feet on each side of centre of vein, for mining purposes.

This claim is situated about 35 miles S. W. W. from Navajo Mt. and about 40 miles N. N. M. from Noen Kopi. The nearest known claim is the Christmas lode, bearing west 2 miles distant.

This claim shall be known as the Copper Reef.

Dated on the ground this 27th day of December, 1882.

Locators:

T. V. KEAM.

A. M. STEPHEN.

T. A. McELMELL.

Filed and recorded at request of A. M. Stephen, February 5th, A. D. 1883, at 9 o'clock a. m. in book 16 of mines, pages 341-342, records of Yavapai County, Ariz.
H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Copper Reef mining claim, as the same appears of record in book 16 of mines, pages 341 and 342, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place bearing precious mineral.

Commencing at this monument and running 750 feet in a northwesterly direction and 750 feet in a southeasterly direction, together with 300 feet on each side of center of said vein, for mining purposes.

This claim is situate about 25 miles S. east of Lees' Ferry, 40 miles S. S. west from Navaho Mountain, and 40 miles N. N. west from Moen Kopi. The nearest known claim is the Twelve Apostles, distant 2 miles south.

This claim shall be known as the Christmas.

Dated on the ground this 1st day of January, 1883.

Locators:

T. V. KEAM.
T. A. ELMELL.
F. F. HUNT.
A. M. STEPHEN.

Filed and recorded at request of A. M. Stephen, February 5th, A. D. 1883, at 9 o'clock a. m., in book 16 of mines, pages 342-342, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Christmas mining claim, as the same appears of record in book 16 of mines, pages 342 and 343, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place bearing precious minerals.

Commencing at this monument and running 200 feet in a southeasterly direction and 1,300 feet in a northwesterly direction, together with 300 feet on each side of centre of said vein for mining purposes.

This claim is situated about 45 miles N. N. W. from Moen Kopi and about S. S. west from Navaho Mt.

The nearest claim is the Bonny Dundee, being the adjoining claim on the west.

This claim shall be known as the Dark Horse lode.

Dated on the ground this 2d day of January, 1883.

Locators:

T. V. KEAM.
A. M. STEPHEN.
A. J. JOHNSON.
T. A. McELWELL.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of mines, page 338, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Dark Horse mining claim, as the same appears of record in book 16 of mines, page 338, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

County Yavapai, A. T.

NOTICE OF LOCATION OF THE DURANGO LODGE.

That we, the undersigned, having complied with the requirements of the Revised Statutes of the United States and local customs and regulations, have located fifteen hundred (1,500) linear feet on the Durango lode, vein, or deposit of rock in place bearing precious mineral. Commencing at location monument and running five hundred (500) feet in a northerly direction and one thousand (1,000) feet in a southerly direction, together with three hundred (300) feet on each side centre of said vein, this claim is situated in Butte Valley mining district, Yavapai County, A. T., and described as follows:

Commencing at NW. corner stake No. 1; thence 300 ft. to N. centre stake No. 2; thence 300 ft. to NE. corner stake No. 3; thence 750 ft. to E. side centre stake No. 4; thence 750 ft. to SE. corner stake No. 5; thence 300 ft. to S. centre stake No. 6; thence 300 ft. to SW. corner stake No. 7; thence 750 ft. to W. side centre stake No. 8; thence 750 ft. to NW. corner stake No. 1.

This claim is situated west of the Tom Keam lode about 440 yards from mon't to mon't, and joining the La Plata on the east.

Discovered March 19th, 1884.

Located March 21, 1884.

Locators:

A. JOHNSON	($\frac{1}{3}$).
WM. GROEN	($\frac{1}{3}$).
V. E. NEFF	($\frac{1}{3}$).
J. R. WAKELIN	($\frac{1}{16}$).
N. G. JARRARD	($\frac{1}{16}$).
WM. GOUSHER	($\frac{1}{16}$).
A. DEAN	($\frac{1}{16}$).

Recorded at request of A. Johnson, in Butte Valley mining district records, on page 25, March 31st, 1884.

E. T. PACKWOOD, *Recorder*.

Filed and recorded at request of N. J. Jarrard, May 16, A. D. 1884, at 9 o'clock a. m., in book 20 of mines, pages 26-27, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Durango mining claim, as the same appears of record in book 20 of mines, pages 26 and 27, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE OF LOCATION.

We, the undersigned, do claim fifteen hundred (1,500) linear feet on this vein, lead, or deposit of rock in place, together with three hundred (300) feet on each side of the center of claim, for mining purposes.

Commencing at this, the initial monument, and running 237 feet in a southwesterly course to a cedar stake, No. 1, adjoining the NE. corner of the Copper World mining claim; thence 151 feet northwesterly to a cedar stake, No. 2, being the westerly center end of claim; thence northerly 300 feet to a cedar stake, No. 3, being the northwest corner of claim; thence 1,500 feet easterly to a cedar stake, No. 4, being the northeast corner of claim; thence 300 feet southerly to a cedar stake, No. 5, being the easterly center end of claim; thence 300 feet southerly to a cedar stake, No. 6, being the southeast corner of claim; thence 1,250 feet westerly to a monument of stone, being the southwest corner of claim; thence 169 feet northerly to stake No. 1; thence 237 feet northeasterly to place of beginning.

This claim is situated in Butte Valley mining district, Yavapai County, A. T., adjoins the Grand Pacific mining claim on the north side, and runs parallel with it, and shall be known as the "Gopher."

Dated on the ground this 17th day of March, 1884.

Locators:

R. CAMPBELL.
A. LEVY.
E. T. PACKWOOD.

Filed and recorded at 12 o'clock m., March 18, 1884, in Butte Valley district records, page 20, at request of R. Campbell.

E. T. PACKWOOD, *Recorder*.

Filed and recorded at request of E. T. Packwood April 28, A. D. 1884 at 2.20 o'clock p. m. in book 19 of mines, pages 635 and 636, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Gopher mining claim, as the same appears of record in book 19 of mines, pages 635 and 636, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 15th day of August, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE OF LOCATION.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place, bearing precious mineral, together with 300 feet on each side of the center of vein, for working purposes.

Commencing at this monument, and running 1,000 feet northerly and 500 feet southerly.

This claim is situate about 45 miles NNW. of Moen Kopi and about 30 miles SSW. of Navajo Mountain, the nearest known claim is the Piute lode, a copper claim, distant one mile west.

This claim shall be known as the Gray Horse lode.

Dated on the ground this 4th day of January, 1883.

JOHN N. STEWART.
JAMES H. WILSON.
JOHN W. BOEHM.
W. R. FALES.

Filed and recorded at request of A. M. Stephen February 5, A. D., 1883, at 9 o'clock a. m., in book 16 of mines, pages 349-350, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of the notice of location

of the Gray Horse mining claim, as the same appears of record in book 16 of mines, pages 349 and 350, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE OF LOCATION.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned citizens of the United States, claim 1,500 feet on this lode, vein, or deposit of rock in place bearing precious mineral, together with 300 feet on each side of the center of vein, for mining purposes, commencing at this monument and running 750 feet northerly and 750 feet southerly.

This claim is situate about 45 miles NNW. of Moen Kopi, and about 30 miles west of Navajo Mountain. The nearest known claim is the Tom Keam lode, distant $\frac{1}{2}$ mile southwest.

This claim shall be known as the Happy New Year lode.

Dated on the ground this first day of January, 1883.

FRANK R. CARTTER.

JOHN N. STEWART.

JOHN W. BOEHM.

JAMES SEWARD.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of Mines, pages 350 and 351, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Happy New Year mining claim as the same appears of record in book 16 of Mines, pages 350 and 351, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE OF LOCATION.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place bearing precious mineral and iron ore, together with 300 feet on each side of the center of vein for working purposes.

Commencing at this monument and running 750 feet northerly and 750 feet southerly.

This claim is situate about 40 miles N. N. west of Moen Kopi and about 30 miles S. S. west of Navajo Mountain.

The nearest known claim is the Pais La Chee, a copper claim, distant 1 mile west.

Dated on the ground this 4th day of January, 1883.

Iron World lead.

JAMES H. WILSON.

JAMES SEWARD.

JOHN W. BOEHM.

JOHN N. STEWART.

Filed and recorded at request of A. M. Stephen, February 6, A. D. 1883, at 9 o'clock a. m., in book 16 of Mines, pages 347 and 348, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of

location of the Iron World mining claim as the same appears of record in book 16 of Mines, pages 347 and 348, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place bearing precious minerals and iron ore.

Commencing at this monument and running 1,000 feet northeasterly and 500 feet southwesterly, together with 300 feet on each side of center of vein for working purposes.

This claim is situate about 45 miles NNW. from Noen Kopi and about 30 miles SSW. from Navajo Mt.

The nearest known claim is "The Christmas" lode, distance 3 miles, bearing west-northwest.

This claim shall be known as the "Iron Mountain" lode.

Dated on the ground this 1st day of January, 1883.

Locators:

T. V. KEAM.
A. M. STEPHEN.
T. A. McELMELL.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of mines, page 346, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the "Iron Mountain" mining claim as the same appears of record in book 16 of mines, page 346, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE.

YAVAPAI COUNTY, *Territory of Arizona.*

We, the undersigned citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place bearing precious mineral and iron ore.

Commencing at this monument and running 750 feet northwest and 750 feet southeast, together with 300 feet on each side of the center of vein, for mining purposes.

This claim is situate about 46 miles NNW. from Moen Kopi and about 31 miles SSW. from Navajo Mt.

The nearest known claim is the Tubal Cain, distant $\frac{1}{2}$ mile south.

This claim shall be known as the "Iron Valley."

Dated on the ground this 1st day of January, 1883.

Locators:

T. V. KEAM.
A. M. STEPHEN.
T. A. McELMELL.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., book 16 of mines, page 344, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for the county of Yavapai, Territory of Arizona, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the

notice of location of the Iron Valley mining claim as the same appears of record in my office, in book 16 of mines, page 344, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this the 31st day of July, A. D. 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

County of Yavapai, A. T.

NOTICE OF LOCATION OF THE LA PLATTA LODE.

Notice is hereby given that the undersigned, having complied with the requirements of the Revised Statutes of the United States and local customs and regulations, have located fifteen hundred (1,500) linear feet of the La Platta lode, vein, or deposit of rock in place bearing precious mineral.

Commencing at location monument and running seven hundred and fifty (750) feet in a northerly direction and seven hundred and fifty (750) feet in a southerly direction, and three hundred feet on each side of location monument, the above claim is situated in the Butte Valley mining district, Yavapai County, A. T., and described as follows:

Commencing at the NW. corner stake No. 1, thence 300 ft. east to north center stake No. 2, thence 300 ft. to NE. corner stake No. 3, thence 750 ft. to east side center No. 4, thence 750 ft. to SE. corner stake No. 5, thence 300 ft. to south end center stake No. 6, thence 300 ft. to SW. corner stake No. 7, thence 750 ft. to west side center stake No. 8, thence 750 ft. to NW. corner stake No. 1.

This claim joins the Durango lode on the west and about 450 ft. east of the San Juan lode.

Discovered March 23d, 1884.

Located March 24, 1884.

Locators:

A. JOHNSON ($\frac{1}{4}$).
 WM. GROEN ($\frac{1}{4}$).
 V. E. NEFF ($\frac{1}{4}$).
 J. R. WAKELIN ($\frac{1}{16}$).
 N. G. JARRARD ($\frac{1}{16}$).
 WM. GOUSHER ($\frac{1}{16}$).
 A. DEAN ($\frac{1}{16}$).

Recorded at request of A. Johnson in Butte Valley mining district records on page 28, March 31, 1884.

E. T. PACKARD, *Recorder.*

Filed and recorded at request of N. J. Jarrard, May 16, A. D. 1884, at 9 o'clock a. m., in book 20 of Mines, pages 27-28, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for the county of Yavapai, Territory of Arizona, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the La Platta mining claim, as the same appears of record in my office in book 20 of Mines, pages 27-28, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this the 30th day of July, A. D. 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE.

YAVAPAI COUNTY, *Terr'y of Arizona:*

We, the undersigned, citizens of the United States, claim 1,500 feet on this lode, vein, or deposit of rock in place bearing precious mineral.

Commencing at this monument and running 750 feet in an easterly direction and 750 feet in a westerly direction, together with 300 feet on each side of the centre of claim for mining purposes.

This claim is situate about 40 miles N. N. West from Noen Kopi, and about 40 miles S. S. West from Navajo Mt.

The nearest known claim is the Twelve Apostles, bearing E. by N., distance $\frac{3}{4}$ of a mile.

This claim shall be known as the "Nar-sus-see" lode.

Dated on the ground this 4th day of January, 1883.

Locators:

T. V. KEAM.

A. J. JOHNSTON.

A. M. STEPHEN.

T. A. McELMELL.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of Mines, pages 343-344, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for the county of Yavapai, Territory of Arizona, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Nar-sus-see mining claim, as the same appears of record in my office in book 16 of Mines, pages 343 and 344, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this the 31st day of July, A. D. 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE OF LOCATION.

We, the undersigned, hereby claim 1,500 linear feet on this lead, lode, or vein of mineral-bearing rock in place, together with 300 feet on each side of the centre of vein for working purposes, running hence 500 feet southeasterly and 1,000 feet northwesterly.

This claim is situated about 40 miles in a northwesterly direction from Moen Kopi, and in a southwesterly direction from Navajo Mountain, and shall be known as the Nestor Mine.

Dated on the ground April 8th, 1882.

T. V. KEAM.

A. M. STEPHEN.

T. A. McELMELL.

D. M. RIORDAN.

Filed and recorded at request of D. M. Riordan, September 28, A. D. 1882, at 10.15 o'clock a. m., in book 14 of mines, pages 513-514, records of Yavapai County, Ariz.

WILLIAM WILKERSON, *County Recorder*.

By D. S. BECHTEL, *Deputy*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Nestor mining claim, as the same appears of record in book 14 of mines, pages 513 and 514, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE OF LOCATION.

We, the undersigned, do claim fifteen hundred (1,500) linear feet on this lode, vein, or deposit of rock in place.

Commencing at this, the initial and discovery monument, and running in a northwesterly course 1,250 feet, and from this monument in a southeasterly course 250 feet, together with three hundred (300) feet on each side of the centre of claim for mining purposes.

This claim is situated in Butte Valley mining district, Yavapai Co., A. T., and adjoins the "Gray Horse" mining claim on the southeast, and shall be known as the "Old Abe."

Dated on the ground this 17th day of March, 1884.

Locators:

R. CAMPBELL.
A. LEVY.
E. T. PACKWOOD.

Filed and recorded at request of R. Campbell March 18, 1884, in Butte Valley mining district records on page 21.

E. T. PACKWOOD, *Recorder*.

Filed and recorded at request of E. T. Packwood April 28, A. D. 1884, at 2.20 o'clock p. m., in book 19 of mines, page 640, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Old Abe mining claim, as the same appears of record in book 19 of mines, page 640, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 15th day of August, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE.

YAVAPAI COUNTY, *Terr'y of Arizona:*

We, the undersigned, citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place, bearing precious mineral.

Commencing at this monument and running 750 feet in a northwesterly direction, and 750 feet in a southeasterly direction, together with 300 feet on each side the centre of said vein for mining purposes.

This claim is situate about 44 miles N. N. W. from Noen Kopi, and about 35 miles S. S. west from Navajo Mountain.

The nearest known claim is the "Tom Keam," distant $\frac{1}{2}$ mile west.

This claim shall be known as the "Piute" lode.

Dated on the ground this 27th day of December, 1882.

Locators:

T. V. KEAM.
A. M. STEPHEN.
T. A. McELMELL.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m. in Book 16 of Mines, pages 339 and 340, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Piute mining claim as the same appears of record in Book 16 of Mines, pages 339 and 340, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE OF LOCATION.

We, the undersigned, hereby claim 1,500 linear feet on this lead, lode, or vein of mineral-bearing rock in place, together with 300 feet on each side of the centre of vein, for working purposes, running hence 500 feet southeasterly and 1,000 feet northwesterly.

This claim is situated about 40 miles in a northwesterly direction from Noen Kopi and in a southwesterly direction from Navajo Mountain, and shall be known as the "Pais le chee" mine.

Dated on the ground April 8th, 1882.

T. V. KEAM.
A. M. STEPHEN.
T. A. McELMELL.
D. M. RIORDAN.

Filed and recorded at request of D. M. Riordan, September 28, A. D. 1882, at 12 o'clock m., in Book 14 of Mines, page 520, records of Yavapai County Ariz.

WILLIAM WILKERSON, *County Recorder*.
By D. S. BECHTEL, *Deputy*.

TERRITORY OF ARIZONA, *County of Yavapai*, ss:

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Pais le chee mining claim as the same appears of record in Book 14 of Mines, page 520, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE OF LOCATION.

We, the undersigned, do claim fifteen hundred (1,500) linear feet on this vein, lode, or deposit of rock in place, together with three hundred (300) feet on each side of the centre of claim for mining purposes, commencing at this the initial and discovery monument and running in a northwesterly course 1,110 feet, and from this monument in a southeasterly course 390 feet.

This claim is situated in Butte Valley mining district and adjoins the Dark Horse mining claim on the southeast end, and shall be known as the "Sunday."

Dated on the ground this 17th day of March, 1884.

R. CAMPBELL,
A. LEVY,
E. T. PACKWOOD,
Locators.

Filed and recorded at request of R. Campbell in Butte Valley mining district records, page 22, March 18, 1884.

E. T. PACKWOOD, *Recorder*.

Filed and recorded at request of E. T. Packwood, April 28, A. D. 1884, at 2.20 o'clock p. m. in book 19 of Mines, pages 637 and 638, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai*, ss:

I, W. I. Johnson, county recorder, in and for said county in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Sunday mining claim, as the same appears of record in book 19 of Mines, pages 637 and 638, records of Yavapai County, Ariz.

In witness whereof, I have hereunto set my hand and affixed my official seal, this 15th day of August, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

Yavapai County, A. T.

NOTICE OF LOCATION OF THE SAN JUAN.

Notice is hereby given that the undersigned, having complied with the requirements of the Revised Statutes of the United States and local customs and regulations, have located fifteen hundred (1,500) linear feet on the San Juan lode, vein, or deposit

of rock in place bearing precious mineral, commencing at discovery monument and running seven hundred and fifty (750) feet in a northerly direction and seven hundred and fifty (750) feet in a southerly direction, together with three hundred (300) feet on each side centre of said vein.

This claim is situated in Butte Valley mining district, Yavapai County, A. T., and described as follows: Commencing at NW. corner stake No. 1, thence 300 ft. to N. end centre stake No. 2, thence 300 ft. to NE. corner stake No. 3, thence 750 ft. to E. side centre stake No. 4, thence 750 ft. to SE. corner stake No. 5, thence 300 ft. to S. end centre stake No. 6, thence 300 ft. to SW. corner stake No. 7, thence 750 feet to W. side centre stake No. 8, thence 750 ft. to NW. corner stake No. 1.

This claim is situated about 80 ft. east of the Victor lode and about 450 feet west of the La Platte lode.

Discovered March 23rd, 1884.

Located March 24, 1884.

Locators:

A. JOHNSON ($\frac{1}{4}$).
WM. GROEN ($\frac{1}{4}$).
V. E. NEFF ($\frac{1}{4}$).
J. R. WAKELIN ($\frac{1}{16}$).
N. G. JARRARD ($\frac{1}{16}$).
WM. GOUSHER ($\frac{1}{16}$).
A. DEAN ($\frac{1}{16}$).

Recorded at request of A. Johnson in Butte Valley mining district records, on page 27, March 31, 1884.

E. T. PACKWOOD, *Recorder*.

Filed and recorded at request of N. J. Jarrard May 16, A. D. 1884, at 9 o'clock a. m., in book 20 of Mines, pages 22-23, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for the county of Yavapai, Territory of Arizona, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of the notice of location of the San Juan mining claim as the same appears of record in my office in book 20 of Mines, pages 22-23, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this the 30th day of July, A. D. 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

NOTICE OF LOCATION.

We, the undersigned, citizens of the United States, claim 1,500 linear feet along the course of this lead, vein, or deposit of rock in place bearing precious minerals, together with 300 feet on each side of the centre of the vein, for working purposes, commencing at this monument and running 300 feet northwesterly and 1,200 feet southeasterly.

This claim is situated about 40 miles from Navajo Mountain, which bears NNE. and about 40 miles NNW. from Moen Kopl.

The nearest known claim is the Nestor, which bears about south and distant one and one-half miles.

This claim shall be known as "The Twelve Apostles."

Dated on the ground this 15th day of Sept., 1882.

T. V. KEAM.
T. V. McELMELL.
D. M. RIORDAN.
A. M. STEPHEN.

Filed and recorded at request of D. M. Riordan, September 28, A. D. 1882, at 10.15 o'clock a. m., in book 14 of mines, page 514, records of Yavapai County, Ariz.

WILLIAM WILKERSON, *County Recorder*.
By D. S. BETCHEL, *Deputy*.

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, and the same is a full, true, and correct copy of the notice of location of the Twelve Apostles mining claim, as the same appears of record in book 14 of mines, page 514, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE.

YAVAPAI COUNTY, *Terr'y of Arizona.*

We, the undersigned citizens of the United States, claim 1,500 feet of this lead, vein, or deposit of rock in place bearing precious mineral.

Commencing at this monument and running 750 feet in a northerly direction and 750 feet in a southerly direction, together with 300 feet on each side the centre of said vein for mining purposes.

This claim is situate about 43 miles NN. West from Moen Kopi, and 35 miles S. S. West from Navajo Mountain.

The nearest known claim is the Iron Mountain lode, distant 2 miles bearing S. East.

This claim shall be known as the "Tom Keam" lode.

January 1st, 1883.

Locators:

T. A. McELMELL.

A. M. STEPHEN.

T. V. KEAM.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of mines, pages 340-341, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Tom Keam mining claim, as the same appears of record in book 16 of mines, pages 340 and 341, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE.

YAVAPAI COUNTY, *Territory of Arizona.*

We, the undersigned citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place bearing precious mineral and iron ore.

Commencing at this monument and running 420 feet northerly and 1,080 feet southerly, together with 300 feet on each side of centre of vein, for mining purposes.

This claim is situate about 46 miles N. N. W. from Moen Kopi and about 31 miles S. S. W. from Navajo Mountain.

The nearest known claim is the Iron Mountain lode, distant N. by W. one mile.

This claim shall be known as "The Tubal Cain."

Dated on the ground this 1st day of January, 1883.

Locators:

T. V. KEAM.

A. M. STEPHEN.

T. A. McELMELL.

Filed and recorded at request of A. M. Stephen, February 5, A. D. 1883, at 9 o'clock a. m., in book 16 of mines, page 345, records of Yavapai County, Ariz.

H. H. CARTTER, *County Recorder.*TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above

and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Tubal Cain mining claim, as the same appears of record in book 16 of mines, page 345, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 31st day of July, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

County Yavapai, A. T.

NOTICE OF LOCATION OF THE VICTOR LODE.

Notice is hereby given that the undersigned, having complied with the requirements of the Revised Statutes of the United States and local customs and regulations, have located fifteen hundred (1,500) linear feet on the Victor lode, vein, or deposit of rock in place bearing precious mineral.

Commencing at location monument and running seven hundred and fifty (750) feet in a northerly direction, and seven hundred and fifty (750) feet in a southerly direction, together with three hundred (300) feet on each side of centre of said vein.

The above claim is situated in Butte Valley mining district, Yavapai Co., A. T., and described as follows:

Commencing at NW. corner stake No. 1, thence 300 ft. to north centre stake No. 2, thence 300 ft. to NE. corner stake No. 3, thence 750 ft. to east side centre stake No. 4, thence 750 ft. to SE. corner stake No. 5, thence 300 ft. to south end centre stake No. 6, thence 300 ft. to SW. corner stake No. 7, thence 750 ft. to west side centre stake No. 8, thence 750 ft. to NW. corner stake No. 1. This claim is situated about 80 ft. west of the San Juan lode.

Discovered March 19, 1884.

Located March 21, 1884.

Locators:

A. JOHNSON ($\frac{1}{4}$).

WM. GROEN ($\frac{1}{4}$).

V. E. NEFF ($\frac{1}{4}$).

J. R. WAKELIN ($\frac{1}{16}$).

N. G. JARRARD ($\frac{1}{16}$).

WM. GOUSHER ($\frac{1}{16}$).

A. DEAN ($\frac{1}{16}$).

Recorded at request of A. Johnson, in Butte Valley mining district records, on page 26, March 31, 1884.

E. T. PACKWOOD, *Recorder.*

Filed and recorded at request of N. J. Jarrard, May 16, A. D. 1884, at 9 o'clock a. m., in book 20 of mines, at pages 25-26, records of Yavapai County, Ariz.

H. H. CARTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai, ss:*

I, W. I. Johnson, county recorder in and for the county of Yavapai, Territory of Arizona, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Victor mining claim as the same appears of record in my office in book 20 of mines, pages 25-26, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this the 30th day of July, A. D. 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE OF LOCATION.

Know all men by these presents, that we, the undersigned, have this day located fifteen hundred (1,500) feet of this vein or lode bearing precious metals, with all dips, spurs, angles, and variations, with surface ground three hundred (300) feet on each side of the centre of vein, with all mineral deposits contained therein and all timber and water thereon or appurtenant thereto, according to the provisions of the United States mining laws.

The exterior boundaries are as follows:

Commencing at this monument and notice and running 300 feet in an easterly direction to monument at SE. corner; thence in a northerly direction parallel with the ledge 1,500 feet to monument at NE. corner; thence at right angles across the ledge in a westerly direction 600 feet to monument at NW. corner; thence parallel with the ledge in a southerly direction 1,500 feet to monument at SW. corner; thence at right angles across the ledge in an easterly direction 300 feet to place of beginning.

This claim is in Butte Valley mining district, Coconino County, Arizona Territory, and may be more generally described as situated east of Patend claims, Live Pine and Copper Flat, and about a mile southwest of the mineral monument in this district and shall be known as the Berlin mining claim.

Dated on the ground this second day of January, 1893.

JOHN H. MCCOOEY.

JOHN D. MURPHY.

Recorded January 10th, A. D. 1893, at five o'clock p. m.

C. A. BUSH, *County Recorder*,
By W. M. MILLER, *Depy.*

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Berlin mining claim, recorded in my said office in book 1 of mines, page 204, records of said Coconino County, Ariz.

Witness my hand and official seal this 10th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.,
By H. HIBBEN, *Deputy*.

NOTICE OF LOCATION.

Know all men by these presents, that we, the undersigned, have this day located fifteen hundred (1,500) feet of this vein or lode bearing precious metals, with all dips, spurs, angles, and variations, with surface ground three hundred (300) feet on each side of the centre of vein, with all mineral deposits contained therein, and all timber and water thereon or appurtenant thereto, according to the provisions of the United States mining laws.

The exterior boundaries are as follows:

Commencing at this monument and notice and running 300 feet in an easterly direction to monument at SE. corner; thence in a northerly direction parallel with the ledge 1,500 feet to monument at NE. corner; thence at right angles across the ledge in a westerly direction 600 feet to monument at NW. corner; thence parallel with the ledge in a southerly direction 1,500 feet to monument at SW. corner; thence at right angles across the ledge in an easterly direction 300 feet to place of beginning.

This claim is in Butte Valley mining district, Coconino County, Arizona Territory, and may be more generally described as situated north of the Patend mines Lucy Boy, west of the Copper Flat and Home Stake, also Patend, and about one mile and a half SW. of the mineral monument in this district, and shall be known as the Dublin mining claim.

Dated on the ground this second day of January, 1893.

JOHN H. MCCOOEY.

JOHN D. MURPHY.

Recorded January 10th, A. D. 1893, at five o'clock p. m.

C. A. BUSH, *County Recorder*,
By W. M. MILLER, *Dep'y.*

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Dublin mining claim, recorded in my said office in book 1 of Mines, page 203, records of said Coconino County, Ariz.

Witness my hand and official seal this 10th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.,
By H. HIBBEN, *Deputy*.

NOTICE OF LOCATION.

Know all men by these presents, that we, the undersigned, have this day located fifteen hundred (1,500) feet or this vein of lode bearing precious metals, with all dips, spurs, angles, and variations, with surface ground three hundred (300) feet on each side of the centre of vein with all mineral deposits contained therein and all timber and water thereon or appurtenant thereto, according to the provisions of the United States mining laws.

The exterior boundaries are as follows:

Commencing at this monument and notice and running 300 feet in an easterly direction to monument at SE. corner; thence in a northerly direction parallel with the ledge 1,500 feet to monument at NE. corner; thence at right angles across the ledge in a westerly direction 600 feet to monument at NW. corner; thence parallel with the ledge in a southerly direction 1,500 feet to monument at SW. corner; thence at right angles across the ledge in an easterly direction 300 feet to place of beginning.

This claim is in Bute Valley mining district, Coconino County, Arizona Territory, and may be more generally described as situated about three miles east of the mineral monument in this mining district and north of the May location, and shall be known as The Jimmy mining claim.

Dated on the ground this second day of January, 1893.

JOHN H. MCCOOEY.
JOHN D. MURPHY.

Recorded January 10th, A. D. 1893, at five o'clock p. m.

C. A. BUSH, *County Recorder*,
By W. M. MILLER, *Dep'y*.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of The Jimmy mining claim, recorded in my said office in book 1 of Mines, page 208, records of said Coconino County, Ariz.

Witness my hand and official seal this 10th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.,
By H. HIBBEN, *Deputy*.

NOTICE OF LOCATION.

Know all men by these presents, that we, the undersigned, have this day located fifteen hundred (1,500) linear feet of this vein or lode bearing precious metals, with all dips, spurs, angles, and variations, with surface ground three hundred (300) feet on each side of the center of vein, with all mineral deposits contained therein and all timber and water thereon or appurtenant thereto, according to the provisions of the United States mining laws.

The exterior boundaries are as follows:

Commencing at this monument and notice and running 300 feet in an easterly direction to monument at SE. corner; thence in a northerly direction parallel with the ledge 1,500 feet to monument at NE. corner; thence at right angles across the ledge in a westerly direction 600 feet to monument at NW. corner; thence parallel with the ledge in a southerly direction 1,500 feet to monument at SW. corner; thence at right angles across the ledge in an easterly direction 300 feet to place of beginning.

This claim is in Butte Valley mining district, Coconino County, Arizona Territory, and may be more generally described as situated north of the Patent claim home stake, and about one mile and a half southeast of the mineral monument in this mining district, and shall be known as the London mining claim.

Dated on the ground this second day of January, 1893.

JOHN H. MCCOOEY.
JOHN D. MURPHY.

Recorded January 10th, A. D. 1893, at five o'clock p. m.

C. A. BUSH, *County Recorder*.
By W. M. MILLER, *Depy*.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the London mining claim, recorded in my said office, in book 1 of mines, page 205, records of said Coconino County, Ariz.

Witness my hand and official seal this 10th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.
By H. HIBBEN,
Deputy.

NOTICE OF LOCATION.

Know all men by these presents, that we, the undersigned, have this day located fifteen hundred (1,500) linear feet of this vein or lode bearing precious metals with all dips, spurs, angles, and variations, with surface ground three hundred (300) feet on each side of the centre of vein with all mineral deposits contained therein and all timber and water thereon or appurtenant thereto, according to the provisions of the United States mining laws.

The exterior boundaries are as follows:

Commencing at this monument and notice and running 300 feet in an easterly direction to monument at SE. corner; thence in a northerly direction parallel with the ledge 1,500 feet to monument at NE. corner; thence at right angles across the ledge in a westerly direction 600 feet to monument at NW. corner; thence parallel with the ledge in a southerly direction 1,500 feet to monument at SW. corner; thence at right angles across the ledge in an easterly direction 300 feet to place of beginning.

This claim is in Butte Valley mining district, Coconino County, Arizona Territory, and may be more generally described as situated about three miles east of the mineral monument in this district, and shall be known as the May mining claim.

Dated on the ground this second day of January, 1893.

JOHN H. MCCOEBY.
JOHN D. MURPHY.

Recorded January 10th, A. D. 1893, at five o'clock p. m.

C. A. BUSH, *County Recorder.*
By W. M. MILLER, *Depy.*

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the May mining claim, recorded in book 1 of mines, page 201, records of said Coconino County, Ariz.

In witness whereof I have hereunto set my hand and official seal this 10th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.
By H. C. HIBBEN, *Deputy.*

NOTICE OF LOCATION.

Know all men by these presents that we, the undersigned, have this day located fifteen (1,500) linear feet of this vein or lode bearing precious metals, with all dips, spurs, angles, and variations, with surface ground three hundred (300) feet on each side of the centre of vein, with all mineral deposits contained therein and all timber and water thereon or appurtenant thereto, according to the provisions of the United States mining laws.

The exterior boundaries are as follows:

Commencing at this monument and notice and running 300 feet in an easterly direction to monument at SE. corner; thence in a northerly direction parallel with the ledge 1,500 feet to monument at NE. corner; thence at right angles across the ledge in a westerly direction 600 feet to monument at NW. corner; thence parallel with the ledge in a southerly direction 1,500 feet to monument at SW. corner; thence at right angles across the ledge in an easterly direction 300 feet to place of beginning.

This claim is in Butte Valley mining district, Coconino County, Arizona Territory, and may be more generally described as situated about two and a half miles east of the mineral monument in this mining district, and about $\frac{1}{2}$ mile west of the May location mining claim, and shall be known as the Mollie mining claim.

JOHN H. MCCOOEY.
JOHN D. MURPHY.

Recorded January 10th, A. D. 1893, at five o'clock, p. m.

C. A. BUSH, *County Recorder*.
By W. M. MILLER, *Depy*.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Mollie mining claim, recorded in book 1 of mines, page 200, records of said Coconino County, Ariz.

In witness whereof I have hereunto set my hand and official seal this 10th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.
By H. C. HIBBEN, *Deputy*.

NOTICE OF LOCATION.

Know all men by these presents that we, the undersigned, have this day located fifteen (1,500) linear feet of this vein or lode bearing precious metals, with all dips, spurs, angles, and variations, with surface ground three hundred (300) feet on each side of the centre of vein, with all mineral deposits contained therein and all timber and water thereon and appurtenant thereto, according to the provisions of the United States mining laws.

The exterior boundaries are as follows:

Commencing at this monument and notice and running 300 feet in an easterly direction to monument at SE. corner; thence in a northerly direction, parallel with the ledge, 1,500 feet to monument at NE. corner; thence at right angles across the ledge in a westerly direction 600 feet to monument at NW. corner; thence parallel with the ledge in a southerly direction 1,500 feet to monument at SW. corner; thence at right angles across the ledge in an easterly direction 300 feet to place of beginning.

This claim is in Butte Valley mining district, Coconino County, Arizona Territory, and may be more generally described as situated south of the Patend claims Live Pine East of the Lucky Boy, also Patend, about one and half mile southwest of the mineral monument in this mining district, and shall be known as The New York mining claim.

Dated on the ground, this second day of January, 1893.

JOHN H. MCCOOEY.
JOHN D. MURPHY.

Recorded January 10th, A. D. 1893, at five o'clock p. m.

C. A. BUSH, *County Recorder*,
By W. M. MILLER, *Depy*.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the New York mining claim recorded in my said office in Book 1 of Mines, page 206, records of said Coconino County, Ariz.

Witness my hand and official seal this 10th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.
By H. HIBBEN, *Deputy*.

NOTICE OF LOCATION.

Know all men by these presents, that we, the undersigned, have this day located fifteen hundred (1,500) feet of this vein or lode bearing precious metals with all dips, spurs, angles, and variations, with surface ground three hundred (300) feet on each

side of the center of vein with all mineral deposits contained therein, and all timber and water thereon or appurtenant thereto, according to the provisions of the United States mining laws.

The exterior boundaries are as follows:

Commencing at this monument and notice and running 300 feet in an easterly direction to monument at SE. corner; thence in a northerly direction parallel with the ledge 1,500 feet to monument at NE. corner; thence at right angles across the ledge in a westerly direction 600 feet to monument at NW. corner; thence parallel with the ledge in a southerly direction 1,500 feet to monument at SW. corner; thence at right angles across the ledge in an easterly direction 300 feet to place of beginning.

This claim is in Bute Valley mining district, Coconino County, Arizona Territory, and may be more generally described as situated about three miles east of the mineral monument and south of the May location, and shall be known as the Our Jack mining claim.

Dated on the ground this second day of January, 1893.

JOHN H. MCCOOEY.
JOHN D. MURPHY.

Recorded January 10th, A. D. 1893, at five o'clock p. m.

C. A. BUSH, *County Recorder*.
By W. M. MILLER, *Depy*.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the Our Jack mining claim, recorded in my said office in book 1 of mines, page 202, records of said Coconino County, Ariz.

Witness my hand and official seal this 10th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.,
By H. HIBBEN, *Deputy*.

NOTICE OF LOCATION.

Know all men by these presents that we, the undersigned, have this day located fifteen (1,500) linear feet of this vein or lode bearing precious metals, with all dips, spurs, angles, and variations, with surface ground three hundred (300) feet on each side of the center of vein, with all mineral deposits contained therein, and all timber and water thereon or appurtenant thereto, according to the provisions of the United States mining laws.

The exterior boundaries are as follows:

Commencing at this monument and notice and running 300 feet in an easterly direction to monument at S. E. corner; thence in a northerly direction parallel with the ledge 1,500 feet to monument at N. E. corner; thence at right angles across the ledge in a westerly direction 600 feet to monument at N. W. corner; thence parallel with the ledge in a southerly direction 1,500 feet to monument at S. W. corner; thence at right angles across the ledge in an easterly direction 300 feet to place of beginning.

This claim is in Bute Valley mining district, Coconino County, Arizona Territory, and may be more generally described as situated east of the Patent claim home stake and about one mile southwest of the mineral monument in this mining district, and shall be known as the Paris mining claim.

Dated on the ground this second day of January, 1893.

JOHN H. MCCOOEY.
JOHN D. MURPHY.

Recorded January 10th, A. D. 1893, at five o'clock p. m.

C. A. BUSH, *County Recorder*,
By W. M. MILLER, *Depy*.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

I, T. E. Pulliam, county recorder in and for the county and Territory aforesaid, and custodian of the records of said office, do hereby certify that the within and foregoing copy of location notice is a true, literal, and exact copy of the location notice of the

Paris mining claim, recorded in book 1 of mines, page 207, records of said Coconino County, Ariz.

In witness whereof I have hereunto set my hand and official seal this 10th day of September, A. D. 1900.

[SEAL.]

T. E. PULLIAM,
County Recorder, Coconino County, Ariz.,
By H. C. HIBBEN,
Deputy.

AFFIDAVIT.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

J. J. Davis, first having been duly sworn, deposes and says:

I am a resident of Coconino County, and a miner of fourteen years' experience. I first went into the Keam or White Mesa mining district about the 16th day of October, 1899, and was there a few days at that time. I returned again in the same month, and again in November, 1899. Was also there in December. I made a personal examination of all the claims in the district except the Tom Keam claim and those in its vicinity. No assessment work had been done on any of the Keam group for the year 1899, and from the appearance of the claims none had been done for several years. On or about November 30, 1899, I assisted in the location of 12 claims in the name of W. H. Thompson. All of these claims so relocated were properly staked by us, and the locations were in all respects legal.

I returned again in April. At that time I found that Keam had done or caused to be done a little work on the claims originally located as the Pais-le-chee, the Blue Gown, the Tom Keam, and the Copper World. The work did not constitute a legal assessment work on any of the claims. At the time this work was done all the said claims had been legally located by J. W. Francis, W. H. Thompson, and associates.

I am interested in the following-named claims in this district: Lenore, Hare Bell, Fire Place, San Francisco, Pony Express, and Yankee Girl. These claims are all recorded except the San Francisco, Pony Express, and Yankee Girl, on which the time for recording has not yet expired. At the time we relocated these claims the original locations they covered were utterly abandoned and unclaimed, and no work had been done on any of them for several years.

I further state upon oath that the original locations listed and shown on the accompanying plat are covered by the relocations thereof as shown thereon. And at each and all of said original locations were subject to relocation at the respective dates of relocation.

I am also familiar with all the relocations listed on the accompanying plat and the original claims covered by them as shown thereon, and know that the said original claims had all been abandoned by the original locators and forfeited through failure to perform the annual labor thereon at the time of the relocation thereof.

Copies of the original location notices certified by the county recorder of Yavapai County, Ariz. (of which county Coconino County was a part prior to 1891), are submitted herewith, showing all said claims to have been valid and in force on May 17, 1884; and I and my coowners as well as all the other claimants of said claims claim the same as mineral lands to which valid rights had attached prior to May 17, 1884, and therefore excluded from the Navajo Indian Reservation by the terms of the Executive order of that date.

J. J. DAVIS.

Subscribed and sworn to before me this 15th day of September, A. D. 1900.

[SEAL.]

E. S. CLARK, Notary Public.

AFFIDAVIT.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

J. L. Foutz, first having been duly sworn, deposes and says:

I have resided in Coconino County, Ariz., for the past twenty-three years and have been familiar with the Keam or Butte Valley mining district since the spring of 1884 and was personally acquainted with many of the original locators of the mining claims located thereon prior to May 17, 1884. I knew E. T. Packwood, Thomas V. Keam, John Stewart, and others who made the original locations in said district, all

of whom with the possible exception of Keam were citizens of the United States; and all of the claims located by them or either of them, as listed on the plat herein, were valid and in effect on May 17, 1884. The assessment work on these claims since 1884 has not been kept up, but years at a time have run without any work having been done and nearly all of the work shown on the claims has been done by other parties who had relocated the original claims between 1888 and 1897, and claimed and worked them adversely to the original locators.

In 1893 a man named J. H. McCooey relocated most of the claims of Keam, Stewart, and others, and did a great deal of work on them. Keam made no protest against this work nor did any of the other original locators, and it was generally supposed that all the original claimants had abandoned their claim.

I have been in the district frequently this year and have personally examined the relocated claims listed on the plat, and know that when they were relocated as shown by the plat and copies of notices of location hereto attached, they were all subject to relocation and that no assessment work had been done on any of the original claims for several years, and that work had not been resumed when the said relocations were made.

The district is a mineral region, and all of the locations shown on plat are made on ledges of mineral-bearing rocks in place.

I am personally interested in the following-named claims: The Annie Bell, Anaconda, Blue Reef, Big Jane, Copper Crown, Little John, Valley Verde, and White Mesa Queen. All these claims were located on August 1, 1900, by the persons named below, and are all located in strict conformity with the mining laws of the United States and the Territory of Arizona, but the notices of location have not yet been recorded, nor have the ninety days allowed by law yet expired. At the date of locations all the original locations covered by said claims had long been abandoned and had not been worked by anyone for a number of years. There had not been more than one legal annual assessment work done on any of these claims since the original locations. The claims were located by the following-named persons and covered original claims, as follows:

Anaconda, located by Maude Foutz, a citizen of the United States, and covers the original Durango claim, as shown by plat and copy of original location notice, herewith.

Annie Bell, located by L. J. Foutz, a citizen of the United States, covers the original Bonnie Dundee.

Blue Reef, located by L. J. Foutz, covers the original Iron Valley.

Big Jane, located by R. E. Powell, covers the area of the original Sunday claim.

Copper Crown, located by R. E. Powell, covers the area of the original Blue Grass claim.

Little John, located by L. J. Foutz, covers the area of the original Butte Valley claim.

Valley Verde, located by R. E. Powell, covers the area of the original Gray Horse claim.

White Mesa Queen, located by R. E. Powell, covers the area of the original Old Abe claim.

All of the said locators were citizens of the United States, and reference is hereby made to the plat and copies of the original location notices filed herewith for boundaries of said original claims.

I am also familiar with all the relocations listed on the accompanying plat and the original claims covered by them, as shown thereon, and know that the said original claims had all been forfeited by abandonment and failure to perform annual labor at the date of relocation.

The notices of relocation of the original claims, certified by the county recorder of Yavapai County, Ariz. (of which county Coconino County was a part prior to 1891), are submitted herewith, showing all of said claims to have been valid and in force on May 17, 1884. All of said claims as relocated have been and are claimed by myself and coowners and the other claimants as mineral lands to which valid rights attached on May 17, 1884, and therefore excluded from the Navajo Indian Reservation by the terms of the Executive order of that date.

J. L. FOUTZ.

Subscribed and sworn to before me this 14th day of September, A. D. 1900.

E. S. CLARK, Notary Public.

AFFIDAVIT.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

J. W. Francis, first having been duly sworn, deposes and says:

I am a resident of Coconino County, Ariz., and am familiar with the Keam Butte Valley or White Mesa mining district in the northern part of the county of Coconino, surrounded by that portion of the Navajo Indian Reservation created by Executive order of May 17, 1884. I have known of this district for years, and in August, 1899, I sent some parties into that region to look it over and make mineral locations. I first visited the district in November, 1889, toward the latter part of the month, and inspected the old mining locations made therein. There had been no work done on any of them for several years, and the claims were utterly abandoned. I visited at this time all the claims in which I am interested and some others and found no recent work on any of them. All of the claims in which I am interested have already been located for me except the Nestor, and the locations were then in full force.

I next visited the district early in April, 1900, and relocated all the claims which I had previously located. We found a little work had been done on the Blue Gown claim, which I was informed had been done by Thomas V. Keam; later, in April or early May, some work was also done on the Tom Keam lode (but subsequent to relocation by our party), which I was informed was done for Mr. Keam by some Indians. There had also been some work done on the Copper World, Pais le Chee, and the Twelve Apostles original claims since my visit in November. We measured the work done on all these claims and looked over all the work done carefully, and I am positive that there was not work enough done on any of these claims to constitute one legal assessment work, and all of said work on each claim was done while the locations thereof by myself and other adverse claimants were valid and in force. Something over a week after I arrived at the district on this visit notices were posted on the original Tom Keam, Pais le Chee, Copper World, and Copper Reef and Blue Gown, which I understand were posted by Mr. Keam, after giving the dates of the original locations, respectively, on each claim read as follows: "Relocated April, 1900, Thomas V. Keam." I made copies of these notices, or a part of them, at the time. There were no dates or boundaries given thereon, nor any extent, direction, or reference. The notice that he posted on the Copper World he afterwards changed to read *Nar Sus See*. I returned from this trip early in May. On the 3d day of May James Allen told me that he had located all of the claims of Thomas Keam on the 2d, except the Copper World, which he located on the 1st. I saw these notices afterwards, but do not remember the dates of them.

I returned to the district in July, 1900, taking a party of men with me to do assessment work on my claims and other claims of parties interested with me. There were also other persons there working on claims held adversely to Keam at that time. During this visit we completed the assessment work on the Tuba, Mountain View, Mollie T., Francis, Leonore, and Hare Bell claims, all being finished before the expiration of the ninety-day period allowed by law from date of location. The work done on each claim constituted a full legal assessment work and was all done by or at the expense of the locators. No work had been done by Mr. Keam or anyone for him on any of these claims subsequent to his location notices of May 23 and May 24, 1900, which are the only location notices which he has recorded in this county covering any of these claims, except some notices filed September 15, 1900.

My last visit to this district was made on or about August 13, and I returned about September 12 therefrom. During this visit I renewed some of my former locations and made one new location—of the Nestor.

I am interested in the following-named claims: The Iron Mountain, Hare Bell, Leonore, Twelve Apostles, Nestor, Mountain View, Tuba, Mollie T., and Francis of those shown on accompanying plat. Of these the Iron Mountain, Nestor, and Twelve Apostles claims are not yet shown of record, the ninety days from date of location having not yet elapsed. All of said three last-named claims are located according to law in every respect. The location notices of the other claims are duly recorded, and certified copies of same are herewith submitted.

I also own entire one claim, the Marvine (original La Platta), which is legally located, but location notices not recorded, as the time of record is not yet up. The locations of these claims and the original locations covered by them will be fully shown by reference to the accompanying plat and copies of location notices.

All of my said locations have been made in good faith, and at the time I made the original locations I was informed and believed that Mr. Keam had entirely abandoned any claim to these mines, and that he had done so was matter of general report and belief at Tuba City and vicinity, the nearest settlement to the district. Mr. Keam

himself told me on July 24, 1900 (at which time I notified him to quit work surveying some of the claims in which I was interested), that he had not worked the claims for a long time, and was even unaware that the work had been done on them which was performed by J. H. McCooley in or about 1893. Mr. Keam had previously informed me when I visited Keams Canyon in March, 1900, that he had not done any work on these claims for a number of years, and, in substance, that he had practically abandoned them, but that he now proposed to revive his claim thereto.

I am also familiar with all the relocated claims and original claims shown on the accompanying plat, and know that the said original claims had all been abandoned by the original locators, and forfeited through failure to perform the annual labor thereon at the time of the relocation thereof.

The notices of the original claims were duly recorded, and certified copies by the county recorder of Yavapai County, Ariz. (of which county Coconino County was a part prior to 1891), are submitted herewith, showing all said claims to have been valid and in force on May 17, 1884, and therefore excluded from the Navaho Indian Reservation by the terms of the Executive order of that date, and I and my coowners, as well as all the other claimants of these locations, claim the same as mineral lands of the United States that were so excluded from the operation of said Executive order.

J. W. FRANCIS.

Subscribed and sworn to before me this 15th day of September, 1900.

E. S. CLARK, *Notary Public*.

(My commission expires February 5, 1901.)

AFFIDAVIT.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

Ashton Nebeker, first having been duly sworn, deposes and says:

I am a citizen of the United States and have resided in Tuba City, Ariz., since 1891. I am well acquainted with the Butte Valley, White Mesa, or Keam mining district, within or surrounded by that portion of the Navaho Indian Reservation created by Executive order of May 17, 1884. I have frequently visited said district and am familiar with the original mining locations therein and the relocations thereof, as listed and shown on the accompanying plat.

I also know that Thomas V. Keam and T. A. McElmell were among the original locators of said claims. I have examined the accompanying plat and compared the same with the ground occupied by the claimants listed and shown thereon, and the same is correct. On the 16th day of January, 1900, I assisted in the relocation of the Copper World, the Pais-le-chee, and the Twelve Apostles mining claims, which were named the Little Dick, the Mountain View, and the Wompeebe, respectively. All of said locations were legally made, the stakes properly placed, and all references made as required by law. The next day, the 17th, we relocated the old Tom Keam and the old Copper Reef. All of these claims were relocated as shown on the plat herewith, but the notices were not recorded, and afterwards the same claims were again located, as shown by the copies of location notices herewith. At the time these claims were relocated, January 16 and 17, 1900, as above stated, the original claims covered by them were altogether abandoned and have not been worked for a number of years. Brush was growing in the old holes and cuts. A great deal of work had been done on some of the claims, but all but a very small part of it had been done by parties other than the original locators.

These old claims, located by T. V. Keam and others, were relocated by H. H. McCooley and others in 1893, who did most of the work on them, and several years after Mike Monaghan, one of the McCooley party, went to the mines via Tuba City. I saw him and talked with him. He hired J. L. Foutz, a neighbor of mine, to haul some of the ore from these claims to a point in southern Utah for the purpose of having it tested.

It has been the general opinion and belief of the people living in the settlement nearest the mines for many years that the original locators had wholly abandoned the claim. In February, 1900, the Navaho employed by Mr. Keam, as well as other Indians in the vicinity of the mines, told me it had been twelve or fourteen years since Keam or any of his associates had done any work in the district.

On the 18th day of January, 1900, Thomas V. Keam arrived in the district, and I left on the same day. I returned on the 26th day of February, and found in the meantime that Keam or someone else had done some work on the Pais-le-chee, the

Copper World, and the Twelve Apostles, but not enough on any of them to amount to one legal assessment work, but during all of this work all of said claims had been covered by our prior locations. He had also done some work on the Tom Keam and the Copper Reef, which were also covered by our locations prior to that time.

In April, 1900, Keam, or someone for him, posted notices on the Copper World, the Tom Keam, Blue Gown, and Pais-le-chee, which notice was substantially as follows: "Relocated April, 1900," and signed Thos. V. Keam. This, however, was after the said claims had been relocated by us and while we were in possession. These were the only notices of relocation we ever saw on the claims, but in June, 1900, he filed for record in the county recorder's office of Coconino County, Ariz., alleged location notices of the Pais-le-chee, the Blue Gown, the Nar-Sus-See, and the Tom Keam claims, dating the first three May 24, 1900, and the last May 23, 1900.

On the date of this affidavit, September 15, 1900, Thos. V. Keam filed in the office of the county recorder of Coconino County pretended notices of location of the following-named claims: Nestor, Hontas, Copper Glance, Christmas, Iron Mountain, Bonnie Dundee, Copper Reef, Splendor, Pieute, Butte Valley, Tubal Cain, and Farquier, giving July 27, 1900, as the date of location on the ground. I never heard or knew of any such claim as the Hontas, Splendor, or Farquier, and as to the others, none of them were relocated by Keam on July 27, 1900, or at any time subsequent thereto, nor was any notice of location of said claims posted thereon by Keam or any person for him, either then or at any time subsequent thereto. I personally examined said claims on the 29th day of July, 1900, and there were no notices of location on any of said claims of Keam or any of his associates, and Keam was not then in said district. There were three surveyors in said district at said date surveying a claim called by Keam Nar-Sus-See, but of my own knowledge the said notices were not on said claims on July 28, and I never saw or heard of them until I saw them at the recorder's office on this date.

I further state upon oath that the original locations listed and shown on the accompanying plat are covered by the relocations thereof, as shown thereon, and that each and all of said original locations were subject to relocation at the respective dates of relocation. I am also familiar with all the relocations listed on the accompanying plat and the original claims covered by them, as shown thereon, and know that the said original claims had all been abandoned by the original locators and forfeited through failure to perform the annual labor thereon at the time of the relocation thereof.

The notices of the locations of the original claims certified by the county recorder of Yavapai County, Ariz. (of which county Coconino County was a part prior to 1891), are submitted herewith, showing all said claims to have been valid and in force on May 17, 1884, and therefore excluded from the Navaho Indian Reservation by the terms of the executive order of that date.

ASHTON NEBEKER.

Subscribed and sworn to before me this 15th day of September, A. D. 1900.

E. S. CLARK, *Notary Public*.

(My commission expires February 5, 1901.)

AFFIDAVIT.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

J. B. Tanner, first having been duly sworn, deposes and says as follows:

I have known the Butte Valley mining district since the month of January, 1893. I went in there for J. H. McCooey, who did a great deal of work there on claims then owned by Thomas V. Keam and others. At that time McCooey located practically all the old mineral locations in the district. None of the claims had any more than one legal assessment of work done on them.

Since 1893 I have been in the district every year and sometimes eight or ten times in a year. I know that no assessment work had been done by or for Mr. Keam until April or May, 1900, when he had some work done on four claims—the Tom Keam, the Blue Gown, the Nar-Sus-See, and the Copper World—and a little on the Pais-le-chee; but at the time this last-mentioned work was done the claims had all been relocated by J. W. Francis and others.

I was over this region frequently as early as 1884, and even prior thereto, and know that there were then more claims located in this district and claimed than are shown on the plat accompanying this affidavit, but did not familiarize myself with them at that time. I am certain that on May 17, 1884, all the known mineral land

in that district was covered by valid mining locations, and that all the locations made by J. W. Francis, J. J. Davis, William Hicklin, and others, as shown on the plat therewith and list of relocations, are on ground that was on that date located as mineral land, and that said locations were all in force on that date.

Practically all of the work that had been done on the Keam group up to the year 1900 was done by parties claiming adversely to him and who had relocated the claims. McCooley did the most of it. He and his party sunk some deep shafts; then in March, 1898, a man named Cowan, from Salt Lake City, did some work there.

I am a citizen of the United States and have lived in Tuba City, Coconino County, Ariz., during the past twenty-three years. This is the nearest settlement to the mining district aforesaid, being about 40 miles distant.

I am interested in the following claims in the said district: Big Dick, original Copper Reef, Copper Queen, original Copper Glance, Ben Bolt, original Antelope.

Big Dick.—This claim was located by me on August 1, 1900, and covers the area of the original Copper Reef claim, as shown in the plat and original notice of location herewith. The original claim was wholly abandoned when I made this location, no work having been done on it for years. The notice of location has not yet been recorded. The claim is staked and located in strict conformity with law.

Copper Queen.—This claim was located by me on August 1, 1900, and covers the area of the original Copper Glance claim, as shown on the plat and original notice of location herewith. It was abandoned and unclaimed at the date of my location, and had not been worked for years. I have located and staked it as provided by law, but have not yet recorded notice of location.

Ben Bolt.—This claim was located by me on August 1, 1900. It includes the area of the original Antelope claim, as shown by the plat and notice of location herewith. The Antelope claim was abandoned and unclaimed when located by me, and no work has been done upon it for years. My location is strictly in accordance with law. The notice of location has not yet been recorded.

Not more than one legal assessment work has been done on any of the above-mentioned claims since the original locations.

I am also well acquainted with the following claims:

Anaconda.—This claim was located August 1, 1900, by Maude Foutz, a citizen of the United States, and covers the area of the original Durango claim, as shown by the plat and copy of original location notice herewith. I helped to locate this claim. It was wholly abandoned and unclaimed when located, and had not been worked for years. The location of the Anaconda is made in strict conformity with law. The notice of location is not yet recorded.

Valley Verde.—This claim was located August 1, 1900, by R. E. Powell, a citizen of the United States, and covers the area of the original Gray Horse claim, as shown by the plat and copy of original location notice herewith. The claim was wholly abandoned when located by Powell, no work having been done on it for years. It is legally located and staked, but notice of location is not yet recorded.

The White Mesa Queen covers the area of the Old Abe, as shown on the plat.

The Copper Crown covers the area of the original Blue Grass, as shown in the plat.

The Big June covers the original Sunday claim, as shown in the plat.

The last three claims were all located on August 1, 1900, by R. E. Powell, and the original claims covered by them were then wholly abandoned and unclaimed. No work had been done on them for years. All of them are legally located and staked, but the notices of location have not yet been recorded.

The Little John covers the area of the original Butte Valley claim, as shown in the plat.

The Blue Reef covers the original Iron Valley claim, as shown in the plat.

The Annie Bell covers the original Bonnie Dundee, as shown in the plat.

The three last-named claims were all located on August 1, 1900, by L. J. Foutz, a citizen of the United States. All of the original claims covered by these claims being wholly abandoned and unclaimed at the time of their location, as aforesaid, and no work had been done on any of them for years.

There had not been more than one legal annual assessment performed on these claims since the date of the original locations in 1884.

The notices of location of the original claims, certified by the county recorder of Yavapai County, Ariz. (of which county Coconino County was a part prior to 1891), are submitted herewith, showing all of said claims to have been valid and in force on May 17, 1884. All of the above claims as relocated have been and are claimed by myself and coowners and the other claimants as mineral lands to which valid rights attached on May 17, 1884, and therefore excluded from the Navajo Indian Reservation by the terms of the Executive order of that date.

I am also familiar with all the relocations listed on the accompanying plat and the original claims covered by them, as shown thereof, and know that the said

original claims had all been abandoned by the original locators and forfeited through failure to perform annual labor thereon at the time of the relocation thereof, and all of said original claims were valid and in force on May 17, 1884, as set forth in the next preceding paragraph of this affidavit.

JOS. B. TANNER.

Subscribed and sworn to before me this 14th day of September, A. D. 1900.

E. S. CLARK, *Notary Public*.

AFFIDAVIT.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

Joseph B. Tanner and J. L. Foutz, first having been duly sworn, on their oaths, each for himself and not one for the other, do depose and say:

That on the 1st day of August, A. D. 1900, they located the following mining claims in the Keam, Butte Valley, or White Mesa mining district, Coconino County, Ariz.:

The Valley Maid mining claim, in the name of L. J. Foutz; the Blue Bell, in the name of J. B. Tanner, and the Bumblebee, in the names of J. B. Tanner, J. L. Foutz, and R. E. Powell.

Valley Maid.—This claim covers the area of the original Christmas claim, as shown on plat and certified copy of original location notice.

Blue Bell.—This claim, the original Copperopolis, as shown by the plat and copy of location notice herewith.

Bumblebee.—This claim covers the original Tubal Cain lode, as shown by the plat and certified copy of original location notice.

All of the said claims are legally staked and located, as required by law, but the notices of location have not been recorded. When located, August 1, 1900, the said claims, and each of them, were wholly abandoned and unclaimed, and there were no notices of location thereon by Keam nor any other person except our own notices.

Affiants further state that they had located all of these claims on May 3, 1900, and these notices remained on the claims until they were again located as above set forth; that said claims were found undisturbed and affiants went over the grounds of claims thoroughly, and if there had been any notices posted thereon, affiants would have seen them. That there were no notices in the discovery monuments nor posted upon the stakes, except those of affiants'.

JOS. D. TANNER.

J. L. FOUTZ.

Subscribed and sworn to before me on the 15th day of September, A. D., 1900.

E. S. CLARK, *Notary Public*.

TERRITORY OF ARIZONA, *County of Coconino, ss:*

George Wallace, first having been duly sworn, deposes and says: That he is a resident of Coconino County in the Territory of Arizona; that he is well acquainted with what is known as the White Mesa, Butte Valley, or Keam mining district in the northern part of Coconino county, a part of which is shown on the plat hereto attached. That on or about the 1st day of April, 1884, affiant located a mining claim in said Butte Valley, White Mesa or Keam district, which claim was one of the full legal size, 600 feet in width by 1,500 feet in length, said claim being named the George Wallace. That said claim was valid and in full force and effect on May 17, 1884, but was not recorded. That affiant has not kept up the annual labor on said claim since the year 1884 and has abandoned same.

That affiant has recently, during the month of August, 1900, visited the said claim and finds that the same has been relocated by William Hicklin, under the name of the Eli mining claim; that said Eli mining claim covers the same area as was originally located and claimed by affiant and included in the said George Wallace mining claim.

Affiant further states that he now has no interest, direct or contingent, in the said mining district, or any part thereof. Affiant further says that the said George Wallace mining claim was located as shown on the plat hereto attached.

his

GEORGE X WALLACE.

mark

Subscribed and sworn to before me this 6th day of September, A. D. 1900.

E. S. CLARK, *Notary Public*.

(My commission expires February 5, 1901.)

AFFIDAVIT.

TERRITORY OF ARIZONA, *County of Coconino*, ss:

W. H. Thompson, first having been duly sworn, deposes and says: That he is a resident of Pittsburg, Pa.; that he is well acquainted with the Butte Valley, White Mesa, or Keam mining district and with the claims located thereon; that he first visited said district on November 29, 1899, and on November 30 he located the Eli (George Wallace) and Little Dick (Copper World) mining claims. At that time said claims were wholly abandoned and had not been worked for years. I went there again in April, 1900, and again in June, July, and August of said year. I am familiar with the original claims shown in the accompanying plats and the relocations thereof as listed and shown thereon, and the same is correct. I further state upon oath that the original locations listed and shown on said plats are covered by the relocations, as shown thereon, and that each and all of said original locations were subject to relocation at the respective dates of relocation. That said original claims at the time of relocation were in a state of abandonment, and had been entirely abandoned by the original locators, and forfeited through failure to perform the annual labor thereon, as required by law, at the time the said relocations were made.

The notices of the locations of the original claims, duly certified by the county recorder of the county of Yavapai, Territory of Arizona (of which county Coconino County was a part prior to 1891), are submitted herewith, showing that all said claims were valid and in force on May 17, 1884, and therefore excluded from the Navajo Indian Reservation by the terms of the Executive order of that date.

All of said claims are relocated, have been and are claimed by the locators thereof as mineral lands to which valid rights attached on May 17, 1884, and therefore excluded by the terms of said Executive order from said reservation.

W. H. THOMPSON.

Subscribed and sworn to before me this 17th day of September, A. D. 1900.

E. S. CLARK, *Notary Public*.

(My commission expires February 5, 1901.)

TERRITORY OF ARIZONA, *County of Coconino*, ss:

E. M. Tackett, first having been duly sworn, deposes and says:

I am a resident of Coconino County, Ariz. I have been engaged in mining for twenty-eight years and am familiar with the Keam, or Butte Valley, or White Mesa mining district in the northwestern portion of the Navaho Indian Reservation, said district being surrounded by that portion of the Navaho Indian Reversionary which was created by Executive order of May 17, 1884. I first visited said district in November, 1899, and inspected the old mining locations therein. There had been no work done on any of them for several years, and the locations were entirely abandoned. I again went to the district on the 14th or 15th of January, 1900, and on the 16th day of January, 1900, I relocated a part of the old Copper World claim, the old Pais-le-chee, the old Twelve Apostles, and on the next day, the 17th day of January, I relocated the old Tom Keam and the old Copper Reef claims. These were all relocated legally in accordance with the laws of the United States and the Territory of Arizona. At the date of these relocations there had been no assessment work done for several years on any of the claims, and work had not been resumed by anyone, nor was there anyone there but the party I was with. Keam arrived there on the evening of the 18th of January, at which time I left, and between that date and February 26, 1900, when I returned, he or some one else had done some work on the Copper World, the Pais-le-chee, and the Twelve Apostles claims. I only stayed two days on the February trip, but returned again on April 8, and within ninety days from January 17. Then we found some work on the Blue Gown, which, I was informed, had been done by Keam. During the latter part of April or the first of May, and after I had relocated it, some Indians did some work on the Tom Keam lode. On none of the aforesaid claims, however, was there work enough done to constitute a legal assessment work, except possibly on the Tom Keam lode, and all the work done upon it could have been done for less than \$100.

Some days after April 8, and between that date and April 20, Thomas V. Keam posted notices of relocation on the Tom Keam, Copper World, Pais-le-chee, and Copper Reef locations, which read in substance as follows: "Relocated April, 1900," without giving date, boundaries, extent, direction, or reference. These notices were

in Keam's handwriting. The notice that he posted on the Copper World he afterwards changed to read Nar-sus-see. I remained there on this trip until May 4, and was told that on May 2 he posted notices dated May 1 on the Copper World, Blue Gown, Pais-le-chee, Copper Reef, and Tom Keam. When I returned to the district in June I saw notices dated May 24, 1900, and signed Thos. V. Keam, on the Pais-le-chee, Blue Gown, and Nar-sus-see claims, and one dated May 23, 1900, on the Tom Keam claim.

I am interested in the following-named claims in this district: The Happy New Year, Nestor, Piute, San Francisco, Wompoed, Maude, Nellie M., Nebeker, Hare Bell, Lenore, Mountain View, and Tuba.

The Happy New Year.—This claim was relocated on September 8, 1900, by D. M. Francis, and covers the area of the original claim of that name.

The Nestor.—This claim was relocated by J. W. Francis on September 7, 1900, and covers the area of the original claim of that name.

Piute.—This claim was relocated September 8, 1900, by F. M. Livermore, and covers the area of the original claim of that name.

San Francisco.—This claim was relocated on July 24, 1900, by J. W. Wrights. It covers nearly all of the original Climax lode.

When the four claims above named were relocated, the original locations were entirely abandoned, no work having been done on them for years. They are all located in strict conformity with the legal requirements, but notices of location are not yet filed for record.

Wompoed.—This claim was relocated August 25, 1900, by J. W. Francis, and covers the area of the original Twelve Apostles. The original claim had been abandoned when the relocation was made, no work having been done thereon for years. This claim, too, is located according to legal requirements but the location notice is not yet recorded.

Maude.—This claim crosses the original San Juan, Victor, and La Platta claims as shown in plat and copies of location notices.

Nellie M.—This claim also crosses the San Juan, Victor, and La Platta original claims.

Nebeker.—This claim crosses the San Juan, Victor, and La Platta at right angles.

When all of the last three above-named claims were relocated, the original claims had been entirely abandoned, no work having been done thereon for years.

Hare Bell.—This claim covers practically all of the original Tom Keam lode. The status of this claim is given above.

Lenore.—This claim crosses the original Blue Gown claim as shown on plat. Status is also given above of the Blue Gown.

Mountain View.—This claim crosses the original Pais-le-chee claim as shown on plat.

Tuba.—This claim includes a portion of the original Pais-le-chee claim as shown on plat.

The four claims last above named are parts of the original claims whose status I have already given in the early portion of this affidavit.

All said relocations were made by citizens of the United States, and particular reference is made to the plat, and copies of notices of location herewith submitted, to fully show the status of each, except those claims whose notices of location are not recorded as above set forth.

I am also familiar with all the relocations listed on the accompanying plat and the original claims covered by them, as shown thereon, and know that the said original claims had all been abandoned by the original locators and forfeited through failure to perform the annual labor thereon at the time of the relocations thereof.

The notices of location of the original claims, certified by the county recorder of Yavapai County, Ariz. (of which county Coconino County was a part prior to 1891), are submitted herewith, showing all said claims to have been valid and in force on May 17, 1884. All the above claims, as relocated by myself and coowners and the other claimants, have been and are claimed as mineral lands to which valid rights attached on May 17, 1884, and therefore excluded from the Navajo Indian Reservation by the terms of the Executive order of that date.

E. M. TACKITT.

Subscribed and sworn to before me this 15th day of September, 1900.

E. S. CLARK, Notary Public.

(My commission expires February 5, 1901.)

AFFIDAVIT.

TERRITORY OF ARIZONA, *county of Coconino, ss:*

J. W. Wright, first having been duly sworn, deposes and says:

I am a resident of Coconino County, Ariz., and am well acquainted with the Butte Valley, Keam, or White Mesa mining district in the northern part of Coconino County, within or surrounded by the Navaho Indian Reservation. I first visited there on or about October 15, 1899. I am a miner of fifteen years' experience. During my first visit there I inspected the Pais-le-chee, Blue Gown, and Copper World mining claims. There had been considerable old work done on these claims, but no recent work, nothing having been done for at least two years. The claims were entirely abandoned. I went there twice afterwards during the year 1899, and there had been no work done on any of said claims since my former visits. I went out again in February, 1900, and again saw the claims and found that a little work had been done on the Pais-le-chee and Copper World, which I was told had been done by Thos. V. Keam; but before said work was commenced all of said claims had been relocated by J. W. Francis and W. H. Thompson, and others associated with them. I saw their notices of relocation. They were dated the 16th or 17th of January, 1900. He had not, however, performed \$100 worth of work on any of these claims. I made a personal examination of all of the claims, and know that the work done was not sufficient to constitute a legal assessment work.

I went there again about the 1st of April, and some Indians had just commenced work on the Blue Gown for Keam, as they said. The claim was then lawfully located by J. W. Francis, and the location was in full effect, but Keam had no notice whatever upon it; but on or about the 7th, or from that to the 10th, the Indians moved a notice of the Blue Gown from the Twelve Apostles claim, where it had been posted, 1,435 feet in a southeasterly direction, to the Blue Gown (or Lenore) claim. This notice simply read: "Relocated April, 1900," and was signed "Thomas V. Keam." He located it again on May 2, dating the notice May 1. The notice was posted on May 2 by James Allen. He again located it on May 24, which last notice he recorded. But at all these times the claim was legally claimed by J. W. Francis and associates.

I am interested in the following-named claims: The Lenore (Blue Gown), San Francisco (Climax), Fire Place (Iron World), Yankee Girl, and Pony Express (Gopher), and Hare Bell (Tom Keam). None of these claims are recorded except the Lenore, Fire Place, and Hare Bell, but the time allowed by law for recording has not yet expired. The dates of location are as given on the accompanying plats, and at the time of said relocations said claims were all utterly abandoned and had not been worked for several years, and there were no other location notices or claims upon them. They cover the original locations as shown in the plat, and by certified copies of location notices herewith submitted of such claims as have been recorded.

I am also familiar with all the locations listed on the accompanying plat, and the original claims covered by them, as shown thereon, and know that the said original claims had all been abandoned by the original locators and forfeited through failure to perform annual labor thereon, at the time of the relocation thereof.

The notices of the locations of the original claims, certified by the county recorder of Yavapai County, Ariz. (of which county Coconino County was a part prior to 1891), are submitted herewith, showing all said claims to have been valid and in force on May 17, 1884; and I and my coowners, as well as all the other claimants of said claims, claim the same as mineral lands to which valid rights had attached prior to May 17, 1884, and therefore excluded from the Navaho Indian Reservation by the terms of the Executive order of that date.

J. W. WRIGHT.

Subscribed and sworn to before me this 15th day of September, A. D. 1900.

E. S. CLARK, *Notary Public.*

(My commission expires February 5, 1901.)

WASHINGTON, September 24, 1900.

SIR: I have the honor to request permission to negotiate with the tribal authorities of the Moqui and Navaho Indians with a view to securing a mineral lease from each of said tribes, boundaries and descriptions to be specifically defined when negotiations are entered into.

Very respectfully,

HON. WILLIAM A. JONES,

Commissioner of Indian Affairs, Washington, D. C.

THOMAS V. KEAM.

FORT DEFIANCE, ARIZ., *September 25, 1900.*

SIR: I wish to protest against the granting of permission to W. Hicklin, J. W. Francis, J. W. Wright, J. J. Davis, E. M. Tackett, W. H. Thompson, J. B. Tanner, Ashton Nebeker, J. L. Foutz, L. J. Foutz, Maud Foutz, R. E. Powell, D. M. Francis, and F. M. Livermore to enter upon the following described claims: The Copper World, the Iron World lode, the Happy New Year lode, the Gray Horse lode, the Blue Grass lode; all being in the Butte Valley mining district, also known as the Keam district, also known as the White Mesa mining district, and being within that tract of land set apart by Executive order dated May 17, 1884, for the use and benefit of the Navaho tribe of Indians. By referring to the certified copies of the record of the original certificates of location filed with the applications of the above-named parties you will see that I am one of the original locators of the above-named claims, and that none of the above-named parties are; also, that I located these claims prior to the date of the above-mentioned order, and that they were valid mining claims on that date, viz, May 17, 1894.

Further, the claims recently located by the above-named parties cover considerable ground not covered by original locations.

Very respectfully,

JOHN N. STEWART.

The SECRETARY OF THE INTERIOR,
Washington, D. C.

PITTSBURG, PA., *October 2, 1900.*

DEAR SIR: On my last visit to Washington, some time since, I called at the office of the Commissioner of Public Lands to inquire as to the progress of my case. I was there informed that all papers had been returned to the office of the Secretary of the Interior for your honorable's decision. As I await your action in this matter, and delay is serious to my holdings, I would respectfully solicit your honorable's favor to a prompt reply to this office.

Yours, very respectfully,

A. JOHNSON.

Hon. E. A. HITCHCOCK,
Secretary of the Interior, Washington, D. C.

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE, NAVAHO AGENCY,
Fort Defiance, Ariz., October 4, 1900.

SIR: I have the honor to transmit the proof record of mining claims, viz:

The Blue Grass lode, dated on the ground January 1, 1883, by James H. Wilson, John W. Boehm, and John N. Stewart; recorded February 5, 1883.

Happy New Year lode, dated on the ground January 1, 1883, by Frank E. Cartter, John N. Stewart, John W. Boehm, and James Seward; recorded February 5, 1883.

Grey Horse lode, by John N. Stewart, James H. Wilson, John W. Boehm, and W. R. Fales; recorded February 5, 1883.

Iron World lode, by James H. Wilson, James Seward, John W. Boehm, and John N. Stewart, dated on the ground January 4, 1883; recorded February 5, 1883.

Copper World, dated on the ground January 5, 1883, by Frank R. Cartter, W. R. Fales, and John N. Stewart; recorded February 5, 1883.

The above-named John N. Stewart is our agency blacksmith and who filed protest against the parties being allowed to supersede him as claimant, viz, Wm. Hicklin, J. W. Francis, Tackett, Keam, Thompson, et al., whose proofs were filed, or rather forwarded, on the 22d of September, 1900. Mr. Stewart would like to resume work soon if his claims are approved.

Very respectfully,

G. W. HAYZLETT,
United States Indian Agent.

The COMMISSIONER OF INDIAN AFFAIRS,
Washington, D. C.

NOTICE OF LOCATION.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned, citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place bearing precious mineral and iron ore, together with 300 feet on each side of the centre of vein for working purposes.

Commencing at this monument and running 750 feet northerly and 750 feet southerly.

This claim is situate about 40 miles NN. west of Moen Kopi and about 30 miles SS. west of Navajo Mountain. The nearest known claim is the Pais la chee, a copper claim, distant 1 mile west.

Dated on the ground this 4th day of January, 1883.

Iron World lode.

JAMES H. WILSON.
JAMES SEWARD.
JOHN W. BOEHM.
JOHN N. STEWART.

Filed and recorded at request of A. M. Stephen February 5th, A. D. 1883, at 9 o'clock a. m., in book 16 of mines, pages 347, 348, records of Yavapai County, Arizona.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai:*

I, W. I. Johnson, county recorder in and for said county in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Iron World mining claim as the same appears of record in book 16 of mines, pages 347, 348, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 27th day of September, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE.

YAVAPAI COUNTY, *Arizona Territory:*

We, the undersigned, citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place bearing precious mineral.

Commencing at this monument and running 750 feet in a northerly direction and 750 in a southerly direction, together with 300 feet on each side the centre of said claim for mining purposes.

This claim is situated about 40 miles SSW. of Navajo Mountain and about 40 miles NN. west from Moen Kopi. The nearest known claim is the 12 Apostles, bearing E. by N., distant $\frac{3}{4}$ of a mile. This claim shall be known as the Copper World.

Dated on the ground this 5th day of January, 1883.

FRANK R. CARTER.
W. R. FALES.
J. N. STEWART.

Filed and recorded at request of A. M. Stephen February 5th, A. D. 1883, at 9 o'clock a. m., in book 16 of mines, page 347, records of Yavapai County, Arizona.

H. H. CARTTER, *County Recorder*

TERRITORY OF ARIZONA, *County of Yavapai:*

I, W. I. Johnson, county recorder in and for said county in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Copper World mining claim as the same appears of record in book 16 of mines, page 347, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 27th day of September, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE OF LOCATION.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned, citizens of the United States, claim 1,500 feet on this lead, vein, or deposit of rock in place bearing precious mineral, together with 300 feet on each side of the center of vein for working purposes.

Commencing at this monument and running 1,000 feet northerly and 500 feet southerly.

The claim is situate about 45 miles NN. west of Moen Kopi, and about 30 miles SS. west of Navajo Mountain. The nearest known claim is the Piute lode, a copper claim, distant one mile west.

This claim shall be known as the Gray Horse Lode.

Dated on the ground this 4th day of January, 1883.

JOHN N. STEWART.
JAMES H. WILSON.
JOHN W. BOEHM.
W. R. FALES.

Filed and recorded at request of A. M. Stephen February 5th, A. D. 1883, at 9 o'clock a. m., in book 16 of mines, pages 349, 350, records of Yavapai County, Arizona.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai:*

I, W. I. Johnson, county recorder in and for said county in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of, the notice of location of the Gray Horse mining claim, as the same appears of record in book 16 of mines, pages 349, 350, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 27th day of September, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder.*

NOTICE OF LOCATION.

YAVAPAI COUNTY, *Territory of Arizona:*

We, the undersigned citizens of the United States, claim 1,500 feet on this lode, vein, or deposit of rock in place, bearing precious mineral, together with 300 feet on each side of the center of vein for mining purposes.

Commencing at this monument and running 750 feet northerly and 750 feet southerly.

This claim is situate about 45 miles N. N. west of Moen Kopi, and about 30 miles S. S. west of Navajo Mountain. The nearest known claim is the Tom Kem lode, distant $\frac{1}{2}$ mile southwest.

This claim shall be known as the Happy New Year lode.

Dated on the ground this first 1st day of January, 1883.

FRANK R. CARTTER.
JOHN N. STEWART.
JOHN W. BOEHM.
JAMES SEWARD.

Filed and recorded at request of A. M. Stephen, February 5th, A. D. 1883, at 9 o'clock a. m., in book 16 of Mines, pages 350-351, records of Yavapai County, Arizona.

H. H. CARTTER, *County Recorder.*

TERRITORY OF ARIZONA, *County of Yavapai:*

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true and correct copy of the notice of location of the Happy New Year mining claim, as the same appears of record in book 16 of Mines, pages 350-351, records of Yavapai County, Ariz.

In witness whereof I have hereunto set my hand and affixed my official seal this 27th day of September, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder,*
By E. C. AVERITT, *Deputy.*

NOTICE OF LOCATION.

YAVAPAI COUNTY, *Territory of Arizona*:

We, the undersigned, citizens of the United States, claim 1,500 feet on this lead vein or deposit of rock in place, bearing precious minerals, together with 300 feet on each side of the center of vein for working purposes.

Commencing at this monument and running 900 feet northwest and 600 feet southeast. This claim is situate about 45 miles N. N. west of Moen Kopi and about 30 miles S. S. west of Navajo Mountain. The nearest known claim is the Butte Valley lode, distant $\frac{1}{2}$ mile east.

This claim shall be known as the Blue Grass lode.

Dated on the ground this 1st day of January, 1883.

JAMES H. WILSON.
JOHN W. BOEHM.
JOHN N. STEWART.

Filed and recorded at request of A. M. Stephen, February 5th, A. D. 1883, at 9 o'clock a. m., in book 16 of mines, pages 348-349, records of Yavapai County, Arizona.

H. H. CARTTER, *County Recorder*.

TERRITORY OF ARIZONA, *County of Yavapai*, ss:

I, W. I. Johnson, county recorder in and for said county, in said Territory, and custodian of the records thereof, do hereby certify that I have compared the above and foregoing with, and the same is a full, true, and correct copy of the notice of location of the Blue Grass mining claim, as the same appears of record in book 16 of mines, pages 348-349, records of Yavapai County, Ariz.

In witness whereof, I have hereunto set my hand and affixed my official seal, this 27th day of September, 1900.

[SEAL.]

W. I. JOHNSON, *County Recorder*.

OCTOBER 5, 1900.

SIR: Referring to the letter of E. S. Clark, esq., and to the locations of William Hickling et al., I hereby enter my appearance as associate counsel with Mr. Clark for the claimants represented by him and also for the Pittsburg Copper Mining Company, the latter of which is claiming certain lands which were located prior to the proclamation of President Arthur, dated May 17, 1884.

Please advise me of any action in the premises.

Very truly, yours,

HORACE F. CLARK.

The COMMISSIONER OF INDIAN AFFAIRS.

OCTOBER 8, 1900.

SIR: Referring to my letter of October 5, 1900, in which I entered my appearance as associate counsel with E. S. Clark, esq., for William Hicklin et al. and the Pittsburg Copper Mining Company, I herewith inclose argument on behalf of mineral claimants, and respectfully request that said argument be forwarded with the other papers in the case to the honorable Secretary for appropriate action.

Very respectfully,

HORACE F. CLARK.

The COMMISSIONER OF INDIAN AFFAIRS.

Before the Commissioner of Indian Affairs and Department of the Interior. In the matter of the claims of William Hicklin et al. to certain mines situate within that portion of the Navaho Indian Reservation created by Executive proclamation dated May 17, 1884.

ARGUMENT ON BEHALF OF MINERAL CLAIMANTS.

In the case at bar, William Hicklin and others are claiming the right to work and patent the mining claims located by them upon the ground that all of their claims embrace mining ground for which valid mining locations had been made prior to the proclamation of President Arthur, dated May 17, 1884.

Claimants, in support of their claim to the mineral land located by them, have submitted certified copies of locations made prior to said proclamation, including the following-named mining claims, to-wit:

Bonny Dundee lode, located January 1, 1883; recorded February 5, 1883.
 Blue Gown lode, located September 16, 1882; recorded September 28, 1882.
 Butte Valley lode, located January 1, 1883; recorded February 5, 1883.
 Christmas lode, located January 1, 1883; recorded February 5, 1883.
 Copper Glance lode, located January 2, 1883; recorded February 5, 1883.
 Copper Reef lode, located December 27, 1882; recorded February 5, 1883.
 Dark Horse lode, located January 2, 1883; recorded February 5, 1883.
 Iron Mountain lode, located January 1, 1883; recorded February 5, 1883.
 Iron Valley lode, located January 1, 1883; recorded February 5, 1883.
 Nestor lode, located April 8, 1882; recorded September 28, 1882.
 Piute lode, located December 27, 1882; recorded February 5, 1883.
 Pais Le Chee lode, located April 8, 1882; recorded September 28, 1882.
 Twelve Apostles lode, located September 15, 1882; recorded September 28, 1882.
 Tom Keam lode, located January 1, 1883; recorded February 5, 1883.
 Tubal Cain lode, located January 1, 1883; recorded February 5, 1883.
 Antelope lode, located March 20, 1884; recorded April 28, 1884.
 Buckeye lode, located April 3, 1884; recorded April 28, 1884.
 Copperopolis lode, located April 2, 1884; recorded April 28, 1884.
 Gopher lode, located March 17, 1884; recorded April 28, 1884.
 Old Abe lode, located March 17, 1884; recorded April 28, 1884.
 Sunday lode, located March 17, 1884; recorded April 28, 1884.
 Blue Grass lode, located January 3, 1883; recorded February 5, 1883.
 Copper World lode, located January 5, 1883; recorded February 5, 1883.
 Gray Horse lode, located January 4, 1883; recorded February 5, 1883.
 Happy New Year lode, located January 1, 1883; recorded February 5, 1883.
 Iron World lode, located January 4, 1883; recorded February 6, 1883.
 Climax lode, located April 2, 1884; recorded May 16, 1884.
 Durango lode, located March 21, 1884; recorded May 16, 1884.
 La Platta lode, located March 24, 1884; recorded May 16, 1884.
 San Juan lode, located March 24, 1884; recorded May 16, 1884.
 Victor lode, located March 21, 1884; recorded May 16, 1884.

In addition to this, claimants have submitted uncontradicted evidence showing that their relocations cover the same ground as that embraced in the several locations mentioned above.

With the location certificates before us, coupled with the undisputed evidence showing the identity of the present locations with those to which vested and accrued rights had attached prior to May 17, 1884, claimants submit—

1. That neither the Indian Affairs Office nor the Land Department may go behind the conclusive proof, as evidenced by the certificates of location, that these several mining claims were valid and subsisting at the date of the Executive proclamation of May 17, 1884.

2. That said proclamation in express terms eliminated these several mining locations from the Navaho Indian Reservation created thereby.

3. That by the terms of the proclamation, these several mining locations were forever carved out of said reservation, and from that time have ceased to be within the jurisdiction of the Indian Affairs Office, but have, in fact, remained public mineral domain, subject to appropriation and disposition under the provisions of the mineral-land laws.

The initial question for determination, it seems to us, is the jurisdiction, if any, of the Indian authorities over the lands within the Navaho Indian Reservation created by said proclamation of May 17, 1884, as to which valid mining locations had been made prior to said date.

We do not see how those authorities may assume any jurisdiction further than to satisfy themselves that locations had been made within said reservation at or prior to the proclamation of the President, and that, as the record shows, has been conclusively proved by the location certificates made and filed in accordance with the law in such cases provided.

We admit that the Indian authorities, for the security and protection of the Indians,

may properly satisfy themselves as to the locus of the several mining claims, in order that they may determine just what land has been carved out of the reservation. The location certificates on their faces, however, give such description as to render the locus of these claims a matter of easy determination, and, therefore, it follows that, as far as the Indian authorities are concerned, the ground embraced in the mining locations, listed above, are no more a part and parcel of the Navaho Indian Reservation than a tract of ground a thousand miles distant therefrom. So far as the Indian Office is concerned, its jurisdiction never extended over these lands, and never can be extended over them. They are as completely carved out of the reservation as though they never were within the exterior limits thereof.

We maintain that even as regards the Land Office and Department of the Interior, which have original and supervisory jurisdiction, respectively, over the public lands, no authority, inherent or otherwise, is invested in them, or either of them, to go behind the record fact of location. In other words the officers thereof have no authority to determine the legality of these several listed locations. That is a matter within the exclusive jurisdiction of the courts, and any attempt on the part of the Land Department to assume jurisdiction of such questions would be unwarranted as well as beyond its powers.

In support of this contention we refer you to the report of the Commissioner of the General Land Office, dated September 10, 1900, made in this very matter, in conformity with directions of the honorable Secretary of the Interior. In this report the Commissioner said:

"The claims (in the Navaho Reservation, and located prior to May 17, 1884) have, therefore, no status in this office, nor is it necessary to their validity. One who locates a mining claim and properly maintains it has acquired vested rights therein. It is only when he seeks to secure the naked title of the Government that the Department has knowledge of the existence of such claim, and the action then taken relates solely to the right to a Government patent.

"The question whether a mining claim held under the possessory clause of the statute is properly maintained by the performance of the requisite annual work is one solely for the courts and not for the Land Department. (Barklage, 29 L. D., 401.)"

Upon this same subject, it was held in *Hughes v. Ochsner* (27 L. D., 396, 398) that "the doing of annual assessment work (necessary to the maintenance of the validity of a location) is not a condition to obtaining patent, but only a condition to the continued right of possession of an unpatented claim as against other and adverse claimants." (See also *Opie et al. v. Auburn Gold M. & M. Co.*, 29 L. D., 230.)

In *Barklage v. Russell*, supra (pages 401, 402), it was said:

"The land department has nothing to do with questions as to the performance of annual expenditure upon mining claims, nor of alleged relocations thereof by reason of failure to perform such expenditure, arising under Section 2324 of the Revised Statutes. These questions are solely matters between rival or adverse claimants to mineral lands and go only to the right of possession of the land involved. The determination of that right, between such claimants, or whenever the adverse claim may be alleged to have had its origin, is committed by the mining laws to the courts alone."

In the *Gaffney et al. v. Turner et al.* (29 L. D., 470, 474), the same rule was laid down, as follows:

"The land department has nothing to do with settling questions as to the performance of annual expenditure upon mining claims, nor of alleged relocation thereof by reason of failure to perform such expenditure, arising under Section 2324 of the Revised Statutes."

Several things contribute to render the question of the validity or maintenance of these locations ones solely within the jurisdiction of the courts. They are:

1. Because a mining claim per se is only a located piece of ground including the vein. (*Gleeson v. Martin White M. Co.*, 13 Nevada, 442.)
2. Because a location is simply the appropriation of a piece of ground under a specific law, and in the absence of an adverse claim duly asserted, carries with it the possession and right of possession.
3. Because a locator's only right to possession of a mining claim is conditional upon the performance annually of the requisite amount of labor. (*Du Prat v. James*, 65 California, 555.)
4. Because after location one may hold his claim forever without seeking to secure the equitable or legal title from the Government.
5. Because the protection of such location must be by way of adverse claim, a proceeding which may only be determined judicially. (*Omaha and Grant Co. v. Tabor*, 13 Colo., 41; *Lorenz v. Waldron*, 96 California, 243.)

6. Because a failure to protect such possession is a complete waiver thereof. (Lee v. Stahl, 9 Colo., 208; Seymour v. Fisher, 16 Colo., 188.) And finally,

7. Because the matter of possessory title as represented by a location is by law (sec. 2326) relegated to the judicial branch of the Government for determination.

It follows, therefore, that neither the Indian Affairs Office nor the Land Department have any authority to determine in this case anything more than the mere fact of location, which on the face of the record is shown in the manner and form required by law.

Having determined the fact of location, and the certificates of location on file are proof of this, the jurisdiction of the Indian Affairs Office over the lands located instantly ceases, and that of the Land Office and Department immediately attaches by virtue of sections 441 and 2478 of the Revised Statutes.

We can not conceive of any other conclusion to be drawn from the facts, and we therefore leave this phase of the question in the firm belief that our contention will be upheld.

Now, what are the rights of mining locators in and to the ground affected by the locations made previous to the Executive proclamation of May 17, 1884?

The proclamation, in so far as it relates to the matter under discussion, contains the following exception or proviso:

"That any tract or tracts within the region of country described as aforesaid which are settled upon or occupied, or to which valid rights have attached under existing laws of the United States prior to the date of this order, are hereby excluded from this reservation."

What is the meaning of this proviso? Does it, from any point of view, serve to limit or restrain the rights of parties; and finally, supposing that certain rights had attached prior to May 17, 1884, but were allowed to thereafter elapse, would the failure to maintain them operate to cause such lands to revert to the reservation under the principal or enacting clause of the proclamation? We believe not, and will endeavor to show that such lands were never embraced in the reservation, and never could become a part thereof under the terms of the proclamation.

While said proclamation is not in its strictest sense a legislative enactment, as far as the Indian Affairs Office and the Land Department are concerned, it has all the force and effect of law, and should be construed just as an enactment of the legislature is construed. We do not believe this statement will for a moment be denied.

At the very outset, therefore, we are met by an exception to the proclamation of May 17, 1884, which, by the plain and unambiguous wording, leads to but a single conclusion. It is manifest that the Executive, in embodying in the proclamation the words of exception, intended, expressly and unequivocally, to exclude forever from the reservation any and all tracts as to which, at that date, valid rights had attached. The exception, by its own force, takes from the created reserve lands which would otherwise have been a part and parcel thereof.

This idea is certainly expressed in the report of the Commissioner of the General Land Office of September 10, 1900, *supra*, when, with reference to the status of locations within said Navaho Indian Reservation, and perfected under the law prior to May 17, 1884, he said:

"In my letter of May 18, 1900, I adhered to my opinion that the lands, included in mining claims, were as completely segregated from said reservation as if they had been described in the proclamation."

Thus even the office before which all public land questions are adjudicated admits the complete segregation of these located claims.

The Executive has in measured and express words stated that tracts "to which valid rights have attached" are excluded from the reservation, and we maintain that these words mean just what they say, and nothing more.

If the Executive had intended that any of these lands could be recovered and subsequently embraced in the reservation is it not reasonable to suppose that the excepting clause would have made provision therefor?

For instance, if it had been intended to exclude these tracts, to which valid rights had attached, only so long as those rights were maintained unimpaired, is it not reasonable to suppose that the exception would have contained words limiting the enjoyment of those existing rights to the continued and uninterrupted maintenance thereof?

Is it not a fact that the exception or proviso to the proclamation contains nothing that would even tend to restrict the exclusion of these lands to the performance of certain conditions subsequent? We firmly believe that the plain and unambiguous expression by the Executive prescribes conditions of exception—absolute exception and segregation—which are unlimited, provided the rights had attached on May 17, 1884. No provision is made for the forfeiture of those rights to the Government for the benefit of the Indians. The lands to which vested rights had attached, therefore,

could not under the existing law revert to the reservation, but if such rights became forfeited under laws prescribing forfeiture upon failure to perform specified acts, the lands affected would not, under existing law, revert to the reservation, but would revert to their former status as public lands, subject still to settlement, occupation, or the acquisition of vested rights, just as they were previous to the proclamation of reservation.

The exception or proviso to the proclamation of reservation, being, as we believe and have stated, subject to the same rules of interpretation as would be a legislative enactment, what interpretation must be given the plain, simple words of the Executive?

Turning to the principal rules for the interpretation of laws, we find those applicable to the case at bar to be:

1. The object of all interpretation and construction of laws is to ascertain the meaning and intention of the lawmaking power, to the end that the same may be enforced. (See *United States v. Hartwell*, 6 Wall., 385, and numerous other cases.)

2. This meaning and intention must be sought, first of all, in the language of the statute (or proclamation) itself. For it must be presumed that the means employed by the lawmaking power to express its will are adequate to the purpose, and do express that will correctly. (See *Denn v. Reid*, 10 Peters, 524, and other cases.)

3. If the language of the statute (or proclamation) is plain and free from ambiguity, and expresses a single, definite, and sensible meaning, that meaning is conclusively presumed to be the meaning which the lawmaking power intended to convey. In other words, the law (or proclamation) must be interpreted literally. And though the court should be convinced that some other meaning was really intended by the lawmaking power, and even the liberal interpretation would defeat the very purpose of the enactment, still the explicit declaration of the lawmaking power is the law, and the courts must not depart from it. (See *United States v. Fisher*, 5 Cranch, 358; *Black on Int. of Laws*, Ch. III.)

These cardinal rules for the interpretation of law, which have been sanctioned by decisions of the Supreme Court, set before you in a concise manner our position with respect to the proviso to the proclamation of May 17, 1884.

In the first place, then, we believe that the Executive, as stated in the proviso, intended expressly to exclude from the Navaho Indian Reservation for all time all lands to which vested rights had attached. What other meaning could be given the words in the proviso? When we seek for the meaning and intention of the Executive, we are confronted with the words that "any tract" in this reservation "to which valid rights have attached under existing laws of the United States, * * * are hereby excluded from this reservation."

These words are so simple in expression and meaning that we do not have to go beyond or behind them to interpret them, except in the broad, unambiguous sense in which they are used. We therefore say that the proviso to this proclamation accurately expresses the whole meaning and intent of the Executive. Had the intention of the Executive been different from the expressive language as used, such intention, no doubt, would have been manifested in language as clear.

We are disposed to go even a step further in the discussion, and say that had the Executive intended to reserve, under certain conditions only, these lands to which vested rights precluded being embraced in the Indian reserve at that time, we feel warranted in saying that the intention would have been expressed. And why not? It certainly would have been within the power of the Executive to do that very thing, and we do not believe there would have been any great difficulty in giving expression to such an intention.

We believe the facts of the matter to be that when the question of adding these lands to the existing Navaho Indian Reservation was under consideration, the fact became known that valid mining locations had been made for portions of the lands, and the authorities, having become convinced that such a location, under the decisions of the courts, was property in the highest sense of the term, having also the effect of a grant by the United States of the right of present and exclusive possession (*Forbes v. Gracey*, 94 U. S., 762; *Belk v. Meagher*, 104 U. S., 279; *Gwillim v. Donnellan*, 115 U. S., 45; *Noyes v. Mantle*, 127 U. S., 348; *Sullivan v. Iron S. M. Co.*, 143; *Manuel v. Wulff*, 152 U. S., 505) it was deemed proper to eliminate such locations in terms from the reservation to be created, rather than to exercise the power of eminent domain and compensate the owners therefor. This is the reasonable view to take of the matter in the light of the proviso to the creation of said reservation.

The mere fact, then, that the Executive has expressed, in unambiguous terms, its purpose of excluding from the operation of said proclamation and from the reservation as created those lands to which valid rights had attached, clearly indicates its intention and will in the premises. Is there any authority, inherent or otherwise,

in any of the Executive Departments of the Government to ignore the plain expression of its Chief, or refuse to enforce the provisions of the exception to the reservation?

The question very naturally presents itself as to whether or not there is any room to doubt the intention and purpose of the Executive as indicated in the language used. To us it would seem the height of absurdity for anyone to doubt for a moment the express intent contained in the proviso referred to.

It must be presumed that when the President expressly limited the operations of the proclamation to lands to which no "valid rights had attached," he satisfied himself that reasons existed for placing in the proviso the restrictions as to the ground reserved.

Turning again to the proviso, we simply wish to add to what has already been said if the language is clear and admits of but one meaning, Where is there room for construction? It is a wise rule which prohibits an interpretation of language which has no need of interpretation. (See *United States v. Wiltberger*, 5 Wheat., 76, 95.)

In *United States v. Hartwell*, supra (page 395), it was said with reference to the construction of a statute:

"The proper course in all cases is to adopt that sense of the words which best harmonizes with the context and promotes, in the fullest manner, the policy and objects of the legislature. The rule of strict construction is not violated by permitting the words of the statute to have their full meaning, or the more extended of two meanings, as the wider popular, instead of the more narrow technical one; but the words should be taken in such a sense, bent neither one way nor the other, as will best manifest the legislative intent." (See also *United States v. Morris*, 14 Peters, 475.)

The words of the proviso now under discussion can not, in the very nature of things, have two meanings. There is nothing technical in them. On the contrary, they are plain, simple, and unambiguous. Therefore, as we look at the matter, there is no good reason to construe the language used other than to give to it the strict and unbending meaning which the plain, simple, and unambiguous words imply. These words are therefore conclusive as to the intent of the Executive in the premises, and this is especially true when we consider them in connection with the familiar and universally recognized rule of law, that the words used are to be taken in their ordinary and popular meaning, there being no technical terms or words of art used. (See *Black on Int. of Laws*, ch. V, sec. 57, p. 128; 1 Bl. Comm., 59.)

It appears that several of the locations which were excluded from the Navaho Reservation because at the time valid rights had attached thereto have been relocated, for the reason, as alleged, that the original locators, their heirs or assigns, have failed to comply with the law by performing the annual labor required to maintain possessory title.

The question as to whether or not these relocations are valid is not, as we have shown, a matter for the determination of the Indian Office or the Land Department, but one over which the courts have sole and exclusive jurisdiction. The question at the present time and in the case at bar is resolved into the simple one as to whether or not the original locations were made and recorded in conformity with law prior to May 17, 1884. The evidence submitted discloses that they were so made, and were valid subsisting locations at the time when the proviso to the proclamation of May 17, 1884, became effective, and they were therefore expressly and in terms carved out of and excluded from the Navaho Indian Reservation.

Respectfully submitted.

HORACE F. CLARK,
Attorney for William Hicklin et al., Mineral Claimants.
E. S. CLARK, esq.,
Flagstaff, Ariz., of Counsel.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, October 10, 1900.

SIR: I have the honor to state that on May 11, 1900, this office reported to the Department that information had been received from Mr. G. W. Haylett, United States Indian agent, Navaho Agency, Ariz., to the effect that prospectors were on the western portion of the Navaho Reservation set apart by the Executive order of May 17, 1884, and in Department letter of May 14, 1890, the office was instructed to direct said agent to notify all trespassers and intruders as follows:

"All persons within that portion of the Navaho Indian Reservation in Arizona set apart by the Executive order of May 17, 1884, and within the following boundaries. On the north by the State of Utah, on the east by the 111° west longitude; on the

south by 36° 30' north latitude, and on the west by 111° 30' west longitude, and the Colorado River, who claim under a mineral location made prior to the date of said Executive order, and all persons within that portion of said reservation which was set apart by the Executive order of January 8, 1900, lying north of 36° 30' north latitude and west of 111° 30' west longitude, who claim under mineral locations made prior to January 8, 1900, must be required to furnish proof thereof for transmission to this office. All such persons failing to furnish the required proof within thirty days from date of receipt by them of notification to do so will be removed as intruders under section 2149 of the Revised Statutes."

The proper directions, in accordance with said instructions, were given the agent in office letter of May 17, 1900.

By Department reference the office received a communication dated May 18, 1900, from the Commissioner of the General Land Office, setting forth that the mining laws require that \$100 worth of work must be annually performed upon a mining claim in order that the claimant may obtain possessory title, but that it had been held that an owner of a mining claim may revive his right to such claim by a resumption of the necessary work at any time prior to the relocation of the land by another party. The Commissioner of the General Land Office expressed the opinion that as the failure of the mineral claimants on the Navaho Reservation to continue the annual assessment work had not been reported to the Department with the view of determining whether the land covered thereby came within the reservation those claimants who can show a right by location or transfer to claims located prior to the reservation should be permitted to resume work upon such claims.

In its report dated June 12, 1900, to the Department this office accorded with the Commissioner of the General Land Office in his opinion as above stated.

On August 2, 1900, Agent Hayzlett transmitted to this office certified copies of the notices of location of the Victor and Dark Horse lodes, showing that these claims were located prior to the reservation. In reply to the agent's inquiry if said notices should be considered sufficient proof of the validity of the claims so as to entitle the owners to continue to operate them, the office on August 15, 1900, referred to the before-mentioned opinion of the Commissioner of the General Land Office and stated that as the notices submitted showed that the claims were located prior to the Executive order of May 17, 1884, the locators should, in accordance with said opinion, be allowed to resume work upon their claims. The agent was further advised that if the locators have other claims on the reservation they must be required to furnish similar evidence in the case of each claim of its having been located prior to the reservation.

August 21, 1900, the office transmitted the following telegram to Agent Hayzlett:

"Information from various sources is received that persons without show of authority are trespassing upon the mineral lands in your reservation, and that you are lending assistance to such. You are directed to at once execute your orders without fear or favor. Answer."

To said telegram Agent Hayzlett replied on August 22, 1900, as follows:

"To the above allegations I make absolute denial, and state that there is not the least possible shadow of foundation for such statements. Now, to convince the office, should it be necessary, I will quote from a few of Mr. Elwin E. Rogers' letters, our additional farmer at Tuba, which are in answer to those written him on this subject. Under date of May 7 he says:

"Yours of 2d instant at hand. Those parties show no inclination to obey in regard to vacating the reservation, but yesterday all parties left that district and until the bill becomes a law may stay away; but should it become a law in the near future we will have our hands full unless there are troops stationed in that vicinity to keep the prospectors from going at will over other parts of the reservation, as they are a set that have no regard for the Indian and think he should have no existence. If you should get instructions as to what steps to take notify me, that I may be in shape to act." * * *

"MAY 16.

"The prospectors have all quit the country." * * *

"JULY 16.

"That gang of prospectors came through near Tuba on their way to the Keams district day before yesterday, and from what I am able to learn they are anxious for further steps to be taken. I am also informed that it will not do to send the Indian police to eject them. They indicate that they want trouble. I will notify them to vacate and then send you word whether they will obey or not." * * *

"The attorney for the Pittsburg people started for the Keams district to-day to serve notice on all their employees, so that there would be no delay in getting the matter settled. I have served all persons here who claim right up there with notice.

* * * I also inclose notices as served on all parties so far as possible. This I don't suppose to be necessary and should be returned for file in this office. You will notice that Clark and Christy are attorneys for a number of these boomers. * * *

"My action as to keeping those parties out of that country dates long before the instructions from the office to me on this matter, and no doubt some persons feel they have been hurt, and for that reason want to make a kick on me.

"I have directed Mr. Rogers in every matter as to keeping the parties out of that country. He is located in that vicinity, while I am 200 miles distant.

"Now, a little recent history in regard to the movements of certain parties. On August 6 one J. W. Francis, of Flagstaff, who is operating in connection with Attorney Clark et al., called at the agency with the hope and expectation, from actions, that I would lend them some favor in their matter. He admitted they were unfriendly to Mr. Rogers; that they had not and would not obey his orders. He was informed that the orders given by Mr. R. were my orders, and that he was now ordered to remove every man they had on the reservation and see that they were kept off until the matter was adjusted to the satisfaction of the Department, and that when he furnished the required proof that they had a legal right there, then the order would be suspended, and that the records of filing, etc., would be the required proof. He promised me faithfully that he would go at once and call every man in and stay off until the matter was settled. He then went to our blacksmith, John Stewart, and asked him about what he knew about the mines in that country, Mr. S. having been there many years since and claimed to know all about each claim; then returned to me and wanted me to let Mr. Stewart go with him to show him and point out different claims, etc. I informed him Mr. S. could not go; that the records, I thought, were the only evidence that would be taken; that I could not spare Mr. S., and that I had no authority to let him go even if he could be spared. He offered to pay for Stewart's time or a substitute if I would allow him to take him with him. All this after having promised to return and call his men off at once. Following this, on the evening of August 9, I received telegram from the office that thirty days' leave were granted John Stewart, agency blacksmith, to be taken at once if he so desired.

"The next morning Mr. Francis was back here and took Mr. Stewart with him. I served the same notices on Keam, Johnson, and others, and have treated all alike, and whoever made the complaint against me must feel that he has been squeezed. I would like to have a list of the informants. It might be of benefit to the Department as well as myself in dealing with them in the future."

It should be explained that the action of the office in granting thirty days' leave to John Stewart, blacksmith at Navaho Agency, was taken at the request of Hon. J. F. Lacey, of Iowa.

Then followed the following telegrams between this office, Hon. J. F. Lacey, and E. S. Clark, attorney for certain mining claimants.

Hon. W. A. JONES,

Commissioner Indian Affairs:

Parties are trying to make their showing on copper property in Keams district full and complete. To do this they will need fifteen days' more time. Please wire E. S. Clark, Flagstaff, Ariz., extending time for answer fifteen days. Answer me at Oskaloosa, Iowa, to make full showing. Delay was unavoidable. Distance from railway takes time.

JOHN F. LACEY.

WASHINGTON, September 6, 1900.

Hon. JOHN F. LACEY,
Oskaloosa, Iowa:

Referring to your telegram 6th instant, have this day sent following telegram to Clark, Flagstaff, Ariz.: "By direction Secretary Interior, fifteen days' extension from August thirtieth allowed parties you represent to establish their right to be upon Navaho Reservation; but must keep off until such right has been established."

A. C. TONNER,
Acting Commissioner.

OSKALOOSA, IOWA, September 12.

Hon. W. A. JONES,
Indian Commissioner:

Arizona parties need about a week further extension. Original time expired 6th, extended to 14th. Please wire Clark, giving week longer.

JOHN F. LACEY.

WASHINGTON, *September 13, 1900.*HON. JOHN F. LACEY, *Oskaloosa, Iowa:*

Referring your telegram 12th instant, Secretary Interior desires to know whether parties are now on Navaho Reservation; and if so, by what authority and for what purpose.

A. C. TONNER, *Acting Commissioner.*OSKALOOSA, IOWA, *September 14, 1900.*HON. A. C. TONNER,
Acting Indian Commissioner:

Don't know whether anyone on reservation or not. They ask in good faith till next Monday to mail, showing which will give information asked for. Request is reasonable, and Keams' objection ought not prevent giving these parties reasonable time.

JOHN F. LACEY.

OSKALOOSA, IOWA, *September 14, 1900.*HON. A. C. TONNER,
Acting Commissioner Indian Affairs:

Since wiring you this morning I learn that none of the parties are on the reservation. Please answer.

JOHN F. LACEY.

WASHINGTON, *September 14, 1900.*HON. JOHN F. LACEY, *Oskaloosa, Iowa:*

Have this day wired Clark, Flagstaff, extending time to Monday next, September 17.

Keam has made no objection, and has nothing whatever to do with the matter.

A. C. TONNER, *Acting Commissioner.*FLAGSTAFF, ARIZ., *September 17, 1900.*A. C. TONNER,
Acting Commissioner Indian Affairs:

Delivered papers showing rights in mining district, Navaho Reservation, to Agent Hayzlett personally to-day.

E. S. CLARK.

Under date of September 22, 1900, Agent Hayzlett transmitted to this office copies of the notices of location in certain mining claims, a number of affidavits relating to said claims, a communication dated August 15, 1900, addressed to the Secretary of the Interior, signed by fourteen persons, by E. S. Clark, attorney, and a blue print copy of a tracing purporting to be a plat of the mining district.

In the communication above referred to, which was evidently prepared by Mr. Clark, the following representations are made:

"1. That because of the express exclusion of said tracts of land from the reservation aforesaid, as provided in said Executive order of May 17, 1884, the Indian Bureau never had at any time control over the same, but that they remained a part of the public lands and subject to the mineral and other public land laws of the United States.

"2. That the original locations of said mining claims have become invalid and void because of their abandonment by the locator thereof, and the failure of said locators to perform the annual labor thereon as required by law since the date of said Executive order of May 17, 1884.

"3. That said mining claims have therefore been and remain forfeited by the original locators thereof and their assigns, and that upon such forfeiture said lands become subject to relocation by any qualified person or persons, and that such claims were located by the undersigned and others while the same were in a condition of forfeiture and prior to the resumption of annual labor by said original locators.

"4. That by reason of the facts hereinabove set forth the undersigned and all

others claiming upon the same grounds and upon the same conditions are the rightful owners of said mining claims; that their claims alone are valid and in force, the said original claimants or their assigns having lost by abandonment and forfeiture as aforesaid all right and title thereto.

"5. That the tracts of land in controversy being a part of the public domain of the United States, by reason of the exclusion clause in said Executive order, the Indian Bureau has no authority or jurisdiction to determine the matters in controversy between the original claimants of said mining claims or their assigns and the undersigned; and the undersigned submit this, their statement, protesting that the Indian Bureau has not jurisdiction over the lands aforesaid, and that the question involved is the right of conflicting claimants upon public lands in terms excluded from the reservation.

"6. That the undersigned are informed and believe that the said complaint made to the Indian Bureau by persons interested with the original locators or their assigns, was so made for the reason that the complainants were unwilling to submit their claims to the proper officials for determination, and for the purpose of subverting the rights of the undersigned."

This office does not consider it necessary or proper to discuss the several points made by Mr. Clark. In this matter the sole desire of the office has been to keep the Navajo Reservation free from intruders. The merits of the claims of the several mining claimants must in the end be adjudicated by the General Land Office or the courts, but until such settlement has been reached, those claimants who are unable to show a right by location or transfer to claims located prior to the reservation, should not, in the opinion of this office, be permitted to go upon the reservation. It is apparent that such parties have intruded upon the reservation regardless of the Department's order, as they have had the mining district surveyed and platted. This is evidenced by the blue print furnished by them.

In transmitting herewith the papers, etc., submitted by Agent Hayzlett, for appropriate action by the Department, it is recommended that this office be instructed to direct said agent to allow no one to be upon the Navajo Reservation except the original locators of mining claims located prior to the reservation, or their assigns, until otherwise directed. It is suggested, in order to determine by metes and bounds the tract or tracts excepted from the operations of the Executive order of May 17, 1884, that the Commissioner of the General Land Office be directed to cause a survey to be made of said excepted tract or tracts as shown by the records.

Very respectfully, your obedient servant,

W. A. JONES, *Commissioner*.

THE SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, October 12, 1900.

SIR: Referring to office report of October 10, 1900, relative to mineral claimants on the Navajo Indian Reservation, Arizona, I have the honor to transmit herewith, for consideration in connection therewith, a communication dated October 8, 1900, from Horace F. Clark, esq., an attorney of this city, inclosing an argument in behalf of certain mining claimants.

Very respectfully, your obedient servant,

W. A. JONES, *Commissioner*.

THE SECRETARY OF THE INTERIOR.

OCTOBER 15, 1900.

SIR: Referring to the above-entitled matter, on behalf of the mineral claimants, I had the honor to file with the Commissioner of Indian Affairs an argument in support of the claim of the mineral locators.

In considering whatever recommendation the honorable Commissioner of Indian Affairs may make in this case, I deem it proper to request that the argument filed by me be considered in connection with whatever action is contemplated.

Very respectfully,

HORACE F. CLARK,
Attorney for Wm. Hicklin et al.

THE SECRETARY OF THE DEPARTMENT OF THE INTERIOR.

FLAGSTAFF, ARIZ., *November 10, 1900.*

HON. WILLIAM A. JONES,
Commissioner of Indian Affairs.

Opening any portion Navajo Reservation to mining locations will be speculation and robbery. The few remaining resources of the Indians should be respected. Complete proofs of conspiracy to despoil Indians in interests of those whose duty it is to protect them will be furnished you, the Secretary of the Interior, and President, before Congress convenes. Please send copy of this to Secretary of Interior, President, and chairman of House Committee on Public Lands.

EDMUND BURKE.

WASHINGTON, D. C., *November 18, 1900.*

SIR: On the Navajo Reservation there are 25,000 Indians, who are slowly but surely making their way toward civilization. The men are industrious, frugal, and thrifty as a class. Many of them are engaged in raising sheep and goats, which they are compelled to pasture on Government lands outside of the reservation. This is occasioned by the fact that as a rule the lands in the reservation are barren, waterless, and worthless. The women of the tribe are as a rule virtuous and live up to the obligations of their marital life. Contrary to general expectations, these Indians, and especially the women, have not taken up the vices of their white neighbors. Their efforts, which are made in an unostentatious way, to better their condition and the condition of their children should not be impaired or hampered through or by the efforts of a few mining adventurers backed by "soldiers of fortune" at Washington and in New York. These Navaho Indians are increasing in number.

Within the exterior boundaries of their reservation, but under the ground, are great and valuable deposits of gold, copper, coal, and petroleum. If these Indians were permitted to lease their lands on a royalty basis, on a fair, honest basis, one that would appeal to the good conscience of everyone, including the officers of the Government, a revenue would be obtained by these Indians that would help them to increase their flocks, to sink artesian wells, to build reservoirs, buy wagons, horses, and all implements necessary for their advancement, and above all the opening up of these mineral resources would employ thousands of them in the building of a railroad from Flagstaff to a point north on the Utah line, and in the opening and development of the copper and coal resources.

Now, a number of gentlemen, among them A. F. Walker, of New York; E. D. Kenna, of Chicago, and others, seek to do this very thing. They will ask Congress for legislation which, under a general statute covering the matter, will permit the Navaho Indians, under the care and supervision of the Department of the Interior, to lease to responsible bidders, on equitable terms, the mineral deposits within the reservation. A number of men have been endeavoring for some time to throw open to location the most valuable portion of the Navaho Reservation.

A bill to that purpose passed both Houses during the last session, but was most properly vetoed by President McKinley, on the ground that such an act would be spoliation. Their efforts, however, have not ceased. By a gross misrepresentation, they are seeking to have the President release a strip of land 10 miles long by 7 miles wide, and to throw the same open to location, under the mining laws of the United States. Such an act would be grave injustice. It would rob the Indians of their most valuable property. In this view I am sure I will be supported by you, by the resident agent, and by the people of Arizona, who are familiar with the situation and have no selfish ends to serve. I sincerely hope that before you make any recommendation in the matter you will carefully look into all the circumstances. If you should desire names and positions of those who have heretofore aided in this most unjust proceeding, I shall with reluctance furnish to you the same. The Indians will soon be in need of aid. For two or three years the rains have failed, the reservation is turning into a desert, and the general opinion of those who are familiar with the situation is that fully 50 per cent of the sheep and goats will be lost this winter, if the usual winter weather prevails.

Still another attempt is being made to despoil these Indians, under the pretense of mining locations made prior to 1882 and under the further pretext that the locators and their successors in interest have been unable to do their assessment work by reason of hostile Indians. This is an absurd pretext. No hostile Navaho has been seen since the days of Kit Carson, who rounded them up and put them on the reservation where they have ever since remained.

The standing of Messrs. Walker and Kenna and others, who are interested in the

matter, is sufficient to guarantee good faith. Their motives are not open to attack, and they never have made any attempt to open this country to location, but have rather sought to proceed in a way that would compensate the Indians for the property that they now rightfully hold.

Very truly,

EDMUND BURKE.

Hon. WM. A. JONES,
Commissioner of Indian Affairs.

KEAMS CANYON, November 22, 1900.

SIR: I have the honor to apply for permission to negotiate with the Navaho and Hopii Indians of Arizona, for the purpose of procuring a lease for the mining of coal in the vicinity of Tuba City, Ariz.

Very respectfully, your obedient servant,

THOMAS V. KEAM.

The SECRETARY OF THE INTERIOR,
Washington, D. C.

(Through the honorable Commissioner of Indian Affairs.)

WASHINGTON, D. C., November 25, 1900.

SIR: The minimum receipts that the Navaho and Moqui Indians would enjoy, if they were permitted to lease their lands on a royalty basis, would be:

	Daily.	Yearly.
1,000 tons coal.....	\$125	\$47,025
2,000 barrels of oil.....	100	31,800
300 tons of copper ore.....	300	93,900
		172,225

In addition, several thousand Indians would be employed for at least two years in the construction of a railroad north from Flagstaff to the coal and copper properties, in making grade, cutting ties, and laying steel. Then a large number of them would be employed above ground for years to come on the coal, copper, and oil grounds. They are not qualified for under ground work and it would be wrong to have them work under ground. Under this measure whisky and attending evils could be kept off the reservation. If the reservation were thrown wide open, the saloon would be the first thing established in the mining camps.

The total compensation that the Indians would realize under H. R. 11840 would not exceed \$10,000, while the compensation under a royalty basis in the course of six years would reach \$250,000 per annum.

Respectfully,

EDMUND BURKE.

Hon. WM. A. JONES,
Commissioner of Indian Affairs.

DEPARTMENT OF THE INTERIOR, GENERAL LAND OFFICE,
Washington, D. C., December 3, 1900.

SIR: I herewith transmit for your consideration a letter from Edmund Burke, relative to the Navaho Indian Reservation.

Very respectfully,

BINGER HERMANN, *Commissioner.*

The COMMISSIONER OF INDIAN AFFAIRS.

(NOTE.—The inclosure of this letter is a duplicate of a letter dated November 25, 1900, addressed by Edmund Burke to the Commissioner of Indian Affairs, which appears elsewhere.)

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, December 7, 1900.

SIR: I have the honor to acknowledge the receipt by Department reference for consideration and report, of a communication of November 25, 1900, addressed to the President by Edmund Burke, esq., whose address in this city is given as "The Raleigh," setting forth the alleged financial benefits that the Navaho and Moqui Indians would enjoy if they were permitted to lease their lands on a royalty basis over and above what they would be likely to gain by the opening of their reservation to mineral entry, as was proposed in the bill (H. R. 11840) introduced during the last session of Congress, but which failed to become a law.

At least two identically similar communications from Mr. Burke have reached this office recently—one from him direct and the other by reference from the Commissioner of the General Land Office.

Agreeably with your direction, I have to report that this office has not at this time any recommendations or suggestions to make in reply to Mr. Burke's communication, which is herewith returned with a copy of this report.

Very respectfully, your obedient servant,

W. A. JONES, *Commissioner.*

THE SECRETARY OF THE INTERIOR.

(NOTE.—The inclosure of this letter is a duplicate of a letter dated November 25, 1900, addressed by Edmund Burke to the Commissioner of Indian Affairs, which appears elsewhere.)

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, December 14, 1900.

SIR: The office has the honor to acknowledge the receipt, by Department reference of the 7th instant, for report of a communication from Hon. John M. Thurston, chairman of the Senate Committee on Indian Affairs, submitting S. 5051, "A bill authorizing the Navaho and Moqui Indians to lease mineral lands within their reservations on a royalty basis." Senator Thurston requests a report from this Department relative to the expediency of the passage of the bill.

As indicated by the title, the bill authorizes the Navaho and Moqui Indians to lease their lands for mining purposes for a term not exceeding twenty-five years, on a royalty basis, under such rules and regulations as the Secretary of the Interior may prescribe.

The reason for the bill lies in the fact that the Moqui Reservation and a considerable part of the Navaho Reservation are Executive order reservations, and Executive order reservations are not subject to lease under the act of February 28, 1891 (25 Stats., 794). The office, however, on October 2, 1900, in reporting to the Department upon a proposed substitute for Senate bill 4463, submitted an item for insertion in the pending Indian appropriation bill, extending the provisions of section 3, of the said act of February 28, 1891, to all Indian reservations created by Executive order. A copy of said item is inclosed herewith. If this item shall be enacted into law it will accomplish every purpose that is intended to be accomplished by the bill in question. There is therefore no necessity for the passage of the bill, and the office respectfully recommends that the same do not pass. The office regards the general item above referred to, authorizing the leasing of all Executive order reservations, much preferable.

The bill is returned herewith and a copy of this report inclosed.

Very respectfully, your obedient servant,

W. A. JONES, *Commissioner.*

THE SECRETARY OF THE INTERIOR.

